

For example, it seems unnecessary and unreasonable to require so much registration and licensing from companies whose operations extend throughout the Dominion. No such requirements should be exacted from insurance companies holding a license from the Dominion, and the Federal Governments might well be trusted to impose all safeguards necessary for the protection of Canadian policy-holders.

At the same time the Parliament of Canada might very properly relinquish all claim to regulate the question of the statutory conditions to be inserted in the policies. The Judicial Committee of the Privy Council has decided in *Citizens Insurance Company vs. Parsons*, that legislation prescribing conditions incidental to insurance contracts is within the power of the provincial legislatures, and consequently, the portions of the Dominion Insurance Act referring to this subject, which are of doubtful constitutionality might well be repealed by an express enactment.

If this were done, the next step in the right direction would be to endeavour to secure uniformity or legislation on the subject by the concurrent action of the several provincial legislatures. There is much more hope of achieving law reform by such means than by straining the constitution to the breaking point in the attempt to unify the law by Federal legislation which trenches on provincial rights. In the United States there are several boards of Commissioners for promoting uniformity of legislation, principally in commercial matters, and their aim is to induce the legislatures of each State to make the same law on subjects in which diversity of legislation is productive of unnecessary complications. There is perhaps no branch of the law with respect to which a movement in favour of uniformity by conjoint provincial action would be less objectionable than insurance law, and there is no insuperable difficulty in arriving at a scheme of statutory conditions that would meet with general approval. I need not dwell upon the manifest advantage of uniformity of legislation to insurance companies in general and foreign corporations in particular.

It would be a task worthy of the Insurance Institute of Montreal, to initiate a movement tending towards official action in this direction.

In undertaking this task your association might feel that it was promoting not merely the interests of insurers and insured, of domestic and foreign companies, but also the larger interests of the great and growing community in which we live.

It would be contributing its share to the welding together of the provinces in the Dominion by creating that community of interests which fosters and maintains national life.

CANADIAN LIFE OFFICERS ASSOCIATION.

A special meeting of the Canadian Life Officers' Association is being held in Toronto to-day, in connection with the Royal Commission on life Insurance now in Session at Ottawa.

THE INSURANCE ENQUIRY.

SECOND DAY'S PROCEEDINGS.

The testimony rendered before the Insurance Commissioners on 15th inst., the second days of the hearing was in continuance of the examination of Mr. Fitzgerald, superintendent of insurance for the Dominion. On the previous day he had stated what were the duties of the office, what their limits and their powers.

On the second day he testified that, a search of the records had failed to find any Canadian company that had ever been called upon to make up a deficiency in assets. This applied to the old line companies. There was a case of one assessment company, which went out of business because its liabilities exceeded its assets.

"What deposits have been returned to companies?" was asked.

"There are but three cases. The Etna Life was paid back \$7,349, its deposit being \$60,000 over what was required by law. The Manufacturers' Life was paid \$13,070, its total deposit being \$192,852, where but \$50,000 was required. The Imperial Life was given back \$3,083. Its deposit is about \$225,000."

Questioned as to the returns made by the companies to the official circular asking for information respecting salaries, etc., paid to each officer and agent of the company, Mr. Fitzgerald stated that a number of the companies had not furnished the information asked for and some had refused to give it. One company wrote to the effect that such a return was not required by law and that the requirement would be an interference with its internal affairs. Another company would furnish the information if it was not made public at the Commission. The Canada Life had promised to send in its return. The Imperial, in forwarding a reply, stated that it was not desirable to publish the salaries, particularly of the agents, as these might convey an erroneous impression. Moreover, the relation between employer and the employed should be confidential.

From this matter a change was made with the intent to elicit information as to any and what irregularities had ever been discovered by the Department of Insurance in the books or returns of the companies. The examination was somewhat erratic at this stage, it being evident that nothing, or too little, was known by the examiners to enable direct questions to be put of any importance. Indeed the piscatorial nature of the enquiry up to this stage was quite pronounced. In an ordinary investigation there is some definite fact, or circumstances alleged as demanding enquiry, but the Commissioners opened their enquiry without being furnished with any definite statement as to the alleged facts, or conditions to be enquired into.