

BANK OF MONTREAL.**NEW ISSUE OF STOCK AT 70 PREMIUM.**

A special general meeting of the stockholders of the Bank of Montreal, presided over by the Honourable Senator Drummond, Vice-President, was held on 7th inst., for the purposes indicated in the following resolutions:—

"Whereas the capital stock of the Bank of Montreal is now \$12,000,000 and it is expedient that the same should be increased.

"Be it, therefore, enacted by the shareholders of the bank assembled at the special general meeting held at the head office of the Bank of Montreal, the seventh day of January, 1903;

"(1) That the capital stock of the Bank of Montreal be, and the same is hereby increased by the sum of \$2,000,000 divided into 10,000 shares of \$200 each (£50 currency.)

"(2.) The said increased stock shall, when the directors so determine, and from time to time if they think fit, be allotted to the then shareholders of the bank pro rata, and at such rate as is fixed by the directors, but no fraction of a share shall be so allotted; provided that in no case shall a rate, be fixed by the directors which will make the premium (if any) paid or payable on such stock so allotted exceed the percentage which the reserve fund of the bank then bears to the paid-up capital stock thereof.

"(3) Any stock allotted from time to time which is not taken up by the shareholder to whom such allotment has been made within six months of the time the notice of the allotment was mailed to his address, or which any shareholder declines to accept, and, or, any shares which shall not be allotted by reason of the provision hereinbefore contained against the allotment of fractions of a share, may be offered for subscription to the public, at such times, in such manner, and on such terms as the directors may prescribe."

The motion was unanimously adopted. It was then moved by Mr. B. A. Boas and seconded by Mr. John Crawford and passed unanimously:

"That the directors be authorized to apply to the Dominion Parliament for an act subdividing the existing shares of the capital stock of the bank, and the shares of any increase of capital into shares of the par value of \$100 each."

The following was moved by Mr. E. B. Greenshields, seconded by Mr. A. F. Gault, and was passed:

"That by-law No. 1 be amended by substituting for the word 'June' in the third line of said by-law (as printed) the word 'December.' This amendment to by-law to take effect after the next annual meeting in June."

In reply to an enquiry the Chairman announced that, the directors intended that the new stock should be allotted to shareholders at a premium of 70 per cent. on the par value. When the above changes have been consummated the capital of the Bank of Montreal will amount to \$14,000,000, and

the premiums on the new stock will raise the Reserve Fund to \$9,400,000 which, no doubt, will be augmented from balance of profit and loss account, at the close of the current year so as to make the Rest \$10,000,000, thus giving the Bank of Montreal \$24,000,000 as the amount of its combined paid-up Capital and Reserve Fund.

A REMARKABLE LIFE INSURANCE CASE.**PAYMENT OF PREMIUM AFTER DEATH OF THE INSURED.**

Some time ago, after the following case had been decided by an English Court, we gave a brief statement of the facts as they had been presented and upon which the Court gave judgment in favour of the defendant company. As this judgment was set aside by the Court of Appeal on 4th November last, by a decision against the life assurance company, we re-state the case as amended and give the precise words of the judgment which are reported in "The Searchlight."

The action was brought to recover £2,500 upon a policy of insurance granted by the General Life Assurance Company, of which company Mr. Freeman, the defendant, was the manager, upon the life of the Hon. Francis Charles Lawley. It appeared that Mr. Lawley was indebted to the plaintiff to the extent of about £2,500, and it was arranged that he should insure his life and assign the policy to the plaintiff. The policy, for £2,500, was dated 18th November, 1899, and was accordingly assigned to the plaintiff, the annual premium being £404 11s. 8d., or £105 quarterly. The usual conditions as to thirty days prevailed. On 17th September, 1901, the quarterly premium due on 18th August had been in arrear thirty days, the days of grace having thus expired, but on the following morning the plaintiff paid the premium and received a receipt for it. It subsequently transpired that Mr. Lawley had died at two o'clock that morning, although at the time of paying the premium both the plaintiff and the company were quite unaware of the fact, whereupon the company declined to pay the claim, on the ground that at the time of the death of Mr. Lawley the policy had become void by reason of the premium being in arrear, and that it could not be revived after the death of the person insured. In the first action, before Mr. Justice Ridley and a special jury, the plaintiff stated that Mr. Lawley requested him to pay the premiums, and debit Mr. Lawley with the amount, and he had from time to time paid money in respect of the premiums. The jury found that, before August, 1900, the plaintiff's clerk told a clerk of the insurance company that it was difficult to obtain the premiums from Mr. Lawley, but that if Mr. Lawley