

GOOD HEALTH DOES NOT MEAN EXEMPT FROM ALL DISEASE.

When a person, in answering the usual questions figuring in applications for insurance, states that he is in good health, the answer is not to be taken as a positive declaration that he is free from all infirmity or disease; such answer must be interpreted liberally; for it might happen that a man might be suffering from some disease or other and be, at the same time, unaware of the fact.

Such, in resumé, is the decision which has been handed down by the Quebec Court of Appeals (the Hon. Chief Justice, Sir Horace Archambeault, and Hon. Justices Trenholme, Lavergne, Cross and Carroll), in a case appealed by the Security Life Insurance Company of Canada.

Briefly, the facts were that Francis J. Murray, late proprietor of the Grand Union Hotel, Montreal, and deceased husband of respondent-plaintiff, applied for and obtained a policy of insurance for \$2,000, written by company appellant-defendant. On Murray's death the company refused payment of the claim on the grounds that the insured had been a sufferer from gout and had failed to declare the fact when called upon, in the application, to answer to the specific question whether he suffered from this disease. The jury found in favor of plaintiff and the finding was upheld in Review. From the latter judgment the insurance company appealed to King's Bench, sitting in appeal.

In answer to the question whether he suffered from gout or rheumatism, the deceased had said, "Some rheumatism years ago." He did not reply as to the gout. The proof, as summed up by Mr. Justice Carroll, speaking for his colleagues, was to the effect that one doctor, who had treated deceased, had expressed doubt as to the existence of this disease in the case of Murray. A second called into consultation expressed the same doubts; neither had ever informed Murray that he was suffering from this disease. The proof showed that he had consulted these physicians at distant intervals.

"There is no doubt," said Mr. Justice Carroll, "but that a sufferer from gout, who does not declare himself as such, suppresses a fact material to the risk, but, in the absence of fraud (art. 2588 C. C.), the declaration by the assured, that he is in good health, must be interpreted liberally and not as meaning to say that he is exempt from all infirmity or disease. In this case the question of fraud is resolved in favor of the assured, since the jury holds that he gave a frank and complete answer. Under the circumstances, the judgment should be confirmed."

The Minister of Finance announced in the House of Commons on Wednesday that the new Dominion war taxes on insurance companies will not apply to purely mutual companies.

ANGLO-AMERICAN

FIRE INSURANCE COMPANY

MONTREAL-CANADA

FIRE INSURANCE COMPANY

Established 1859

J. W. RUTHERFORD, A. B. DUFRESNE,

General Manager,

Provincial Agent.

ROOM 21, DULUTH BUILDING,

Head Office Cor. Notre Dame and St. Sulpice Sts.

OPPORTUNITIES

in Life Insurance are many.

FOR AN AGENCY, ADDRESS

GRESHAM LIFE ASSURANCE SOCIETY, LTD.

Established 1846.

Funds \$50,000,000

GRESHAM BUILDING - - - MONTREAL.

GET OUR PRICES

FOR

FIRST CLASS WORK

Orders Filled on Dates Promised

JOHN LOVELL & SON, LTD.**PRINTERS & BOOKBINDERS**

23 St. Nicholas Street - - MONTREAL

The Progress of The Mutual of Canada

DURING THE YEAR 1914.

SUMMARY STATEMENT.

Paid to Policyholders,	\$ 1,591,446	Gain over 1913	\$ 195,001
Income	- 4,539,072	" " "	369,412
Total Assets	- 24,642,314	" " "	2,389,569
Surplus	- 3,818,507	" " "	408,706
New Assurance	- 14,525,411	" " "	124,677
Assurance in Force	94,477,359	" " "	7,085,333

SURPLUS EARNED DURING THE YEAR,**\$1,035,778.14**

This assures a continuation of the generous dividends to the participating policyholders of the Company.

The Mutual Life Assurance Co.

Of Canada,

WATERLOO - - - ONTARIO

LIFE AGENTS.

A connection with the **Continental Life Insurance Co., of Toronto**, would be to your advantage. For Eastern Ontario or Quebec Province, write

T. R. BROWNLEE,
102 Bank Street Chambers,
Ottawa, Ont.

GEO. B. WOODS, **CHARLES H. FULLER,**
President. *H. A. KENTY, Secretary.*
Superintendent of Agencies.

THE LIFE AGENTS MANUAL, \$3.00

THE CHRONICLE, MONTREAL