

amount must be deducted as no insurance would have been paid but for the accident. Life insurance, however, is not to be looked at in the same light. Such insurance is not necessarily connected with the accident. Its maturity has merely been accelerated. If, for instance, the insurance is effected by the deceased, payable to his wife at his death, the wife by reason of the husband's premature death enjoys the interest of a certain sum for ten or twenty years more than she would otherwise have done. An amount equivalent to such interest should be deducted from the damages.

This line of reasoning can be applied to all kinds of insurance, whether, for example, on the endowment plan, or twenty premium payments; the criterion being whether the accident is the real cause of the benefit being received.

If the insurance were effected by a son in favour of his next of kin, and the next of kin happened to be, at the time of the accident, the father and mother, it is a question for the judge to estimate the chances these parents would have had of obtaining the insurance, if the insured had died a natural death.

Is it not to be presumed and foreseen, that the son would at some time have changed his policy in favour of his wife and children; should not, therefore, some diminution of damages be allowed for the benefit derived from a rather uncertain and changeable insurance policy? It may be said that the right of the parents to receive the insurance money might not have existed but for the accident.

In suits under the Workmen's Compensation Acts the question does not present itself.

The law of the Province of Quebec provides that the representatives of the deceased cannot ask for the payment of medical and funeral expenses if the deceased belonged to an association which provides for such charges. The French law concerning employer's liability, of 9th April, 1898, contains more adequate and extended dispositions. Article 5 says that employers can be relieved from their responsibility for medical and funeral expenses if they shew, (1) That they have affiliated