

INSURANCE, LIFE—DEATH “DIRECTLY OR INDIRECTLY” CAUSED
BY WAR—DEATH OF ASSURED BY ACCIDENT WHILE ENGAGED
IN MILITARY DUTIES.

Coze v. Employers' Liability Assurance Co. (1916) 2 K.B. 629. In this case the construction of a policy of life insurance was in question whereby the assured was insured against death except it be “directly or indirectly” caused by war. The insured was a military officer, and, in the discharge of his military duties, was accidentally killed by a train whilst walking alongside the rails of a railway for the purpose of visiting sentries posted along the line. An arbitrator to whom the claim was referred found as a fact that the death of the insured occurred while in the discharge of his military duty, and was within the exception, and this conclusion was affirmed by Scrutton, J., on a case stated by the arbitrator.

HUSBAND AND WIFE—ACTION BY WIFE AGAINST HUSBAND—
TORT—ACTION FOR RESCISSION OF DOCUMENT FOR FRAUD—
MARRIED WOMAN'S PROPERTY ACT, 1882 (45-46 VICT. C.

75) s. 12—(R.S.O. c. 149 s. 16).

Hulton v. Hulton (1916) 2 K.B. 642. This was an action by a wife against her husband to recover damages for deceit, alleging that by his fraudulent representations she was induced to execute a separation deed. The plaintiff also claimed to have the deed rescinded and declared void. As to the claim for damages Lush, J., held that the action was for tort, and could not be maintained; See the Married Women's Property Act, s. 12 (R.S.O. c. 149, s. 16) and could not be supported as an action for the protection of her separate property. But as to the second branch for rescission, although it was based on an alleged wrongful act of the husband, it was not an action for tort within the meaning of the section above referred to, and was maintainable, and judgment was given in favour of the plaintiff on that part of her case.

CRIMINAL LAW—EVIDENCE OF ACCOMPLICE—CORROBORATION.

The King v. Baskerville (1916) 2 K.B. 658. This was an appeal to the Court of Criminal Appeal from a conviction, on the ground that the evidence of an accomplice had not been sufficiently corroborated. The appellant was found guilty of