

**"OCCUPIED AS A RESIDENCE."**

**Court Upholds Fire Insurance Company in Interesting Decision—House Empty an Essential Fact.**

The Court of King's Bench at Montreal, on Wednesday, confirmed a judgment by ex-Chief Justice Sir Melbourne Tait, which is of wide interest as upholding the rights of fire insurance companies to full and precise information regarding risks they cover. The basis of the suit was a fire insurance company's refusal to pay a claim on account of the fact that vital information regarding the premises insured had not been furnished by the insured. The plaintiff owned a house at Longueuil and insured it for \$1,000, it being stated that the policy covered the house "occupied as a residence." As a matter of fact, for some months previous to the breaking out of the fire it was unoccupied and had been boarded up. The Company maintained that this utterly changed the nature of the risk. Insurance men, called to the witness box in the lower court, averred that had such fact of non-occupancy been made known, it was certain that a higher rate of premium would have been charged by the Company, and it would not have been improbable for the risk to have been refused outright. Plaintiff's counsel in the course of an extended argumentation on the exact meaning of the words, "Occupied as a residence," contended that such phraseology was simply designatory of the character of the building to distinguish it, for instance, from a structure occupied as a powder magazine, or a paint factory, etc.

The Hon. Chief Justice in briefly summing up the case, did not touch upon this argumentation, but contented himself with declaring that in the unanimous opinion of the court an essential fact regarding the character of the risk had not been communicated to the insurers. This was sufficient to void the policy. Judgment of the lower court was accordingly confirmed with costs.

**ONTARIO AT IT AGAIN.**

The Ontario government seems to be doing its best to emulate or go one better than the unenviable record of the Quebec government in the matter of taxation of the insurance companies. The life companies are the proposed victims of its latest efforts. Hon. I. B. Lucas has introduced a bill which proposes, *inter alia* to increase the taxation on the gross premiums collected by the life companies in Ontario from one per cent. to  $1\frac{3}{4}$  per cent. Another clause provides that in case of reinsurance the company re-insured shall be exempt from the tax imposed on the portion of the premium paid to the reinsuring company. It is also rendered possible to increase the taxation on outside companies which are incorporated in states or provinces demanding higher taxes on outside companies. To facilitate collection of these taxes the chief agent in Ontario must keep an extra book containing a record of all premiums paid in Ontario.

This proposal has naturally already been keenly opposed by the representatives of the life companies, who were informed that their companies were not being asked to pay as much as some other businesses. The solemn bringing forward of an argument of this fatuous sort is enough to make a life man tear his hair in desperation at the sheer ignorance of the politicians regarding the absolute injustice of this tax on premiums.

**AMERICAN INSURANCE COMPANIES' WAR PROVISIONS.**

American life accident companies are dealing generously with war conditions. Practically all of the companies announce that all those who may be called away as members of the army or navy forces will be fully protected under their policies, with only slight change in the provisions thereof. In some instances, however, of those expecting to be called to the front or those intending to go as volunteers who have not yet taken out a policy the rates may be raised. It is generally understood that practically all of the accident companies will waive the "war exemption" clause in their policies. They are not obliged to do so, but it is believed that they will adopt the same course as pursued in the Spanish-American war, feeling that such action will not cause a severe drain on their resources.

**REMARKABLE RESULTS FROM WITH-PROFIT POLICIES.**

An account of the year's death claims which accompanies the annual report of the famous "old Equitable" of London, shows some remarkable results from with-profit policies. On the 107 whole life participating policies under which claims arose during 1913, there had been paid in premiums £142,535. The original sums assured totalled £128,750, but the bonuses declared and (except for £5,855 previously commuted by policyholders) receivable with the policy monies amounted to no less than £154,280. The three policies of longest duration had their assurance increased to more than four times the original amount; 56 per cent. had their policies more than doubled; while in only three cases—possibly of sub-standard lives accepted at increased rates—did the protection afforded by their contracts eventually cost the assured any cash outlay which was not eventually more than recouped. On the average there were three policies for every two lives assured.

**FIRE NOTICES IN NATIONAL PARKS.**

The Dominion parks branch has just got out a new fire warning notice for use in the national parks of the Dominion of Canada. These have been prepared in a very striking and attractive form. Formerly such notices were prepared on cloth and were easily destroyed by the weather and not infrequently by porcupines. The new notices, however, are made of tin, the lettering baked enamel. These metal notices will withstand any kind of weather and are far superior and much more durable than the old cloth notices.

The initial cost is higher, but this is amply justified when the superior lasting qualities of the tin over that of the cloth notices is taken into account. The lettering is in red and black sufficiently large to be easily readable at a distance. At the top of the notice is a picture of a forest fire, depicting in a vivid manner the ravage and devastating influence of fires to the timber resources of the country.

These notices have been sent out to the various park superintendents and will be posted up in conspicuous places throughout the national parks.