IGNORED "SAFETY FIRST" SO ACTION WAS DISMISSED

Superior Court Judgment Awarding Damages for Death in Railway Accident Reversed Because Precautions Not Taken by Deceased.

In reversing the judgment of the Superior Court, which awarded $1,200 damages to D. Collin, of St. Bruno, who sued the Grand Trunk Railway Company for $5,000 because his son of nine years old had been killed by a locomotive at a highway crossing near St. Bruno. Their Lordships Justices Charbonneau, Bruneau and Lane emphasized the importance of the Safety First slogan, "Stop, look and listen." The court held that there was no liability on the part of the company on account of the fact that the engineer in charge of the locomotive did not look out of the window after having given the signals required by law, when he found there was nothing on the right of way. Their Lordships could not agree that this was the immediate and determining cause of the accident, as the trial judge had held. If the engineer must constantly keep his eye on the track, the court was of the opinion that he would lose control of the engine.

The child of the plaintiff had been found on the Grand Trunk right of way, about eighty feet from the highway crossing, and the palintiff contended that his son had been killed by one of the Grand Trunk trains, his claim for damages being based on the allegation that the locomotive was in bad order, that the whistle did not blow and the bell did not ring before the train passed the crossing, and that at the moment the train passed over the crossing the engineer and fireman were busy repairing the lubricator, which had been damaged, and were not keeping a sharp look-out.

The plea offered by the railway company was that the apparent cause of the boy's death should be attributed to the Intercolonial Railway and that the Grand Trunk was in no way responsible. There was no eye-witness of the accident and the trial judge had attributed it to the fact that the engineer of an Intercolonial locomotive, instead of stopping the train, lost the direction and control of the engine in order to repair the lubricator, which was broken, being thus prevented from keeping a lookout on the track when the train was approaching the crossing.

Counsel for the railway company argued that even if the engineer and fireman had been looking out over the track the accident could not have been avoided, as it would have been impossible to stop the train between the crossing and the whistling place where the automatic bell was started ringing.

"At the time of the breaking of the lubricator," said Mr. Justice Bruneau, "the right of way was perfectly clear and there was nobody in sight. There was no reason for stopping the train for the mere reason of repairing the lubricator to avoid an accident that the engineer was unable to foresee. If the lad was killed in going over the crossing he must alone be held responsible and his death was due to his own negligence, as there was no obstacle to prevent him seeing the train coming, no tree, no house, no fog, but a straight right of way, clear of everything, and fine weather. It was impossible for him not to hear the train coming, the sound of the bell and the whistle, and even to see the locomotive coming at a considerable distance from the crossing.

UTAH CONSOLIDATED MINING DIVIDEND.

New York, June 15.—Utah Consolidated Mining Co. has declared a dividend of 50 cents a share, payable July 26 to stock of record July 10.

THE LOSS BY FIRE

Children playing with matches was the cause of a fire which broke out on the premises of Joseph Fontane, 374 Lagauchetiere street, on June 6. A box of matches had been left on the window, and when the firemen arrived they found the place ablaze. "Accidental fire" was the conclusion arrived at by Fire Commissioner Latulippe.

The Commissioner was unable to discover the cause of the blaze which broke out in the establishment of the Simplex Flooring Company, Ltd., Bleury street, on June 6. Evidence was given to the effect that spontaneous combustion was the cause of the fire, but beyond this nothing was learned.

The Commissioners, after hearing eight or ten witnesses were unable to reach a conclusion regarding the fire in the grocery store of Abraham Hamovitch, 19 Clarke street, at 1.37 a.m. on June 7. The firemen had an exciting half hour, but managed to extinguish the flames before much damage had been done.

A QUARTER MILLION BLAZE.

A $250,000 blaze destroyed the Standard Box Company's plant on the Portland, Ore., water front, recently, and injured adjoining property. The Standard Box Company carried about $150,000. insurance, apportioned as follows:

Aetna, $10,000; Caledonia, $10,000; Firemen's Fund, $2,500; Firemen's of Newark, $5,000; London, $5,000; National, $2,000; New Hampshire, $5,000; Springfield, $5,000; Sun, $10,000.

In addition coverings were made by the following companies: Germania. Home of New York. North British, Northern, Nord Deutsche, and Union.

PERSONALS

Mr. Glyn Osler, of Toronto, is at the Ritz-Carlton.

Mr. S. McDougall, of Ottawa, is at the Windsor.

Mr. E. W. Grange will return to Ottawa this week.

Mr. Justice Carroll, of Quebec, is at the Ritz-Carlton.

Mr. C. F. Haight, of New York, is at the Ritz-Carlton.

Professor J. B. Porter has gone to Guysboro, N.S., for the summer.

Mr. Robert Henderson left town yesterday for a trip to the Pacific coast.

Mr. F. Ritchie, of Quebec, is at the Place Viger.
Mr. C. E. Read, of Ottawa, is at the Ritz-Carlton.

OLDEST BASEBALL INSURED.

Pittsburgh, June 15.—The oldest baseball in existence is owned by the president of the East End Church Baseball League of Pittsburgh. The ball is nearly fifty-three years old.

It was used first in a championship game between the Eclipse team of Kingston, N.Y., and the Hudson team of Newburgh, N.Y. The game was played on June 20, 1862, and ended 49 to 18 in favor of the Kingston team.

The ball carries $500 burglary insurance and $500 fire insurance. It was given to its present owner by John Miller, who played first base on the Eclipse team. Miller is 100 years old now and lives in Cornwall-on-the-Hudson.

BETHLEHEM STEEL CORPORATION TO EXPEND $1,000,000 ON PLANT.

New York, June 15.— There is no particular significance in the statement that Bethlehem Steel Corporation is to spend $1,000,000 in new construction at its Elizabethport, N.J., plant. This work has been under way for some time, extensions having been planned before the beginning of the war.

That Bethlehem Steel has superior facilities for turning out shrapnel, guns, etc. in strict conformity with its foreign contracts is evident from the fact that there have been no rejections by inspectors, and deliveries of war material are being made regularly.

PIG WAS PREMIUM.

Walter Miller, Jr., of Oregon, recently joined the insurance branch of the Knights of Pythias and paid his first premium with a hog. Under the terms of his agreement, he is to care for and feed the hog until the lodge elects to have it converted into coin.

U. S. LIFE COMPANIES TO INSERT WAR CLAUSE IN NEW POLICIES

Boston, June 15.—The leading American life insurance companies are getting ready to insert a war clause in all new policies: The New York Life, the Mutual Life and the Equitable Life have agreed on a new form of policy which will shortly be used exclusively in writing life insurance in this country.

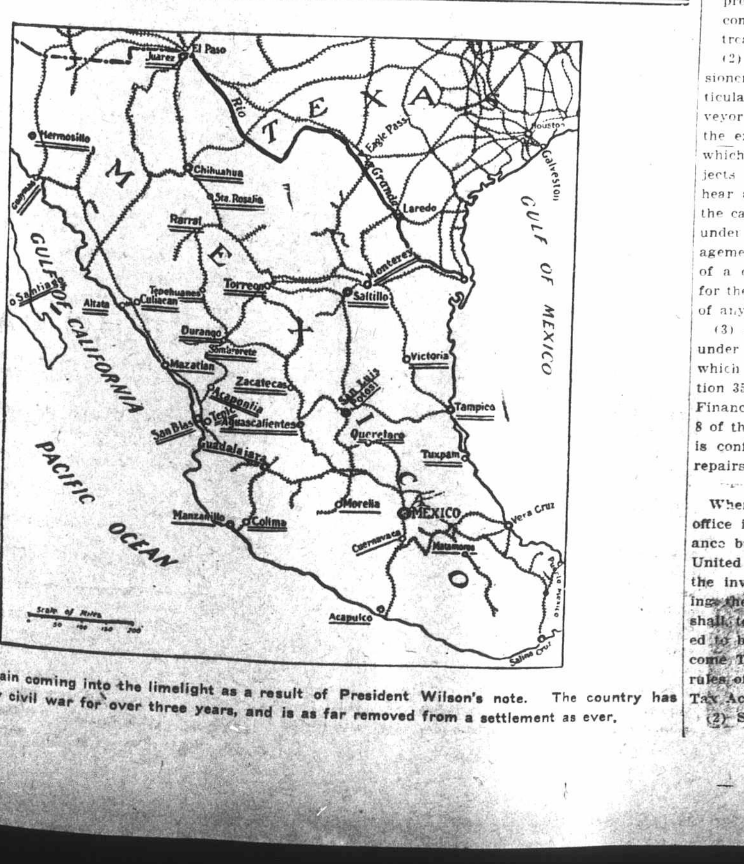
The war clause will provide for a very much higher rate in case the insured enlists for war. It is likely that the cash surrender and loan value provisions will be abolished, excepting where the insured borrows on his policy for the purpose of paying premiums. One form of war clause under discussion by the companies is, that in case the insured goes to war, his premiums with interest shall be refunded by the company and paid to the beneficiary.

Life insurance experts, since the sinking of the Lusitania, have been making estimates of the losses the leading American companies would sustain in the event of this country being drawn into the European conflict. At the time of the war with Spain the American companies were easily able to pay their losses, because very few Americans lost their lives. If the United States goes to war now the insurance losses would be very heavy, and the companies would be obliged to pay on all policies they have written. But the new form of policy will safeguard the life insurance companies from disastrous losses on future insurance.

"The American companies have been little affected so far by the European war. The Equitable and Mutual ceased writing policies in Germany 20 years ago. The Balkan states were also put in the "bad risk" list. No American company is now writing policies anywhere in Europe for men who are going to war.

WILL VISIT CAMP SUSSEX.

St. John, N.B., June 15.—A visit from His Royal Highness the Duke of Connaught is expected at Camp Sussex next Saturday. The 55th Battalion is being recruited there.



Mexico is again coming into the limelight as a result of President Wilson's note. The country has been devastated by civil war for over three years, and is as far removed from a settlement as ever.

RT. HON. DAVID LLOYD GEORGE,
Late Chancellor of the Exchequer of Great Britain and Ireland, whose 1915 Finance Bill makes concessions to insurance companies in the matter of taxation.

TAX CONCESSIONS TO LIFE COMPANIES

Lloyd George's 1915 Finance Bill Gives Relief to British Insurance Companies

FOREIGN OFFICES UNDER ACT

Companies Not Having Head Offices in United Kingdom, but Doing Business There are Provided for in Legislation.

Recent despatches from London have told of concessions promised to British insurance companies in the matter of taxation. Full details of that part of the 1915 Finance Bill dealing with this matter are now available and correspond with the resolutions previously published save that relief is granted in respect of premiums amounting to seven per cent. of the capital sum assured, whereas originally the limit was fixed at £5 per cent.

The clauses of the bill regarding this matter are as follows:—

Separate Assessment of Life Assurance.

Where an assurance company carries on life assurance business in conjunction with assurance business of any other class, the life assurance business of the company shall, for the purposes of the Income Tax Acts, be treated as a separate business from any other class of business carried on by the company.

Provision as to Calculation of Loss.

In ascertaining for the purposes of section one hundred and one of the Income Tax Act, 1842, or of section twenty-three of the Customs and Inland Revenue Act, 1890, whether an assurance company has sustained a loss in respect of its life assurance business, any income of the company derived from the investment of its life assurance fund shall be treated as part of the profits of the company acquired in that business.

Accountability of Company for Income Tax.

The amount of annuities which an insurance company carrying on the business of granting annuities is entitled, for the purposes of sub-section (3) of section twenty-four of the Customs and Inland Revenue Act, 1888, to treat as having been paid out of profits of gains brought into charge to income tax shall not exceed the amount of the taxed income of its annuity fund.

Income Tax in Respect of Expenses.

Where an assurance company carrying on life assurance business or any company whose business consists mainly in the making of investments, and the principal part of whose income is derived therefrom, claims and proves to the satisfaction of the Special Commissioners that for any income tax year it has been charged to income tax by deduction or otherwise, and has not been so charged in respect of its profits in accordance with the rules under the first case in section one hundred of the Income Tax Act, 1842, the company shall be entitled to repayment of so much of the tax paid by it as is equal to the amount of the tax on any sums disbursed as expenses of management (including commissions) for that year:

Provided that—

(a) relief shall not be given under this section so as to make the income tax paid by the company less than the tax which would have been paid if the profits of the company had been charged in accordance with the said rules; and

(b) the amount of any fines, fees, casual profits, or profits arising from reversions in the case of an assurance company, and in the case of any other company the amount of any income or profits derived from sources not charged to income tax, shall be deducted from the amount treated as expenses of management for the year.

(2) Notice of any claim to the special commissioners under this section together with the particulars thereof shall be given in writing to the surveyor of taxes for the district within 12 months after the expiration of the income tax year in respect of which the claim is made, and where the surveyor objects to such claim the special commissioners shall hear and determine the same in like manner as in the case of an appeal to them against an assessment under Schedule D and Section 59 of the Taxes Management Act, 1880 (which relates to the statement of a case on a point of law), and any rules made for the purpose of that section shall apply in the case of any such appeal.

(3) A company shall not be entitled to any relief under this section in respect of any expenses as to which relief may be claimed or allowed under Section 35 of the Finance Act, 1894, or Section 69 of the Finance (1909-10) Act, 1910, as extended by Section 8 of the Finance Act, 1914, by which enactment relief is conferred in respect of the cost of maintenance, repairs, insurance, or management of land or houses.

Investments of Foreign Companies.

Where an insurance company not having its head office in the United Kingdom carries on life assurance business through any branch or agency in the United Kingdom, any income of the company from the investments of its life assurance fund (excluding the annuity fund, if any), wherever received, shall, to the extent provided in this section, be deemed to be profits comprised in Schedule D, of the Income Tax Act, 1853, and shall be charged under the rules of the third case in Section 100 of the Income Tax Act, 1842.

(2) Such portion only of the income from the investments of the life assurance fund shall be charged under this section as bears the same proportion to the total income from those investments as the amount of premiums received in that year from policyholders resident in the United Kingdom and from policyholders resident abroad whose proposals were made to the company at or through its office or agency in the United Kingdom bears to the total amount of the premiums received by the company.

The relief conferred by this Act in respect of expenses of management shall, in the case of a company charged to income tax under this section, be calculated by reference to a like proportion of the total expenses of management of the company for the year estimated in accordance with the provisions of this Act.

Every assessment under this section shall be made by the special commissioners as though the company under the provisions of the income tax acts had required the proceedings relating to the assessment to be had and taken before those commissioners.

Where a company has already been charged to income tax, by deduction or otherwise, in respect of its life assurance business, to an amount equal to or exceeding the charge under this section, no further charge shall be made under this section, and where a company has already been so charged, but to a less amount, the charge under this section shall be proportionately reduced.

Limitation of Income Tax Relief.

A person shall not be entitled under Section 54 of the Income Tax Act, 1853 (as amended by any subsequent enactment), to deduct from profits or gains—

(a) In respect of any premium or other payment payable for securing a capital sum on death (whether in conjunction with any other benefit or not), more than 7 per cent. of the actual capital sum assured; and

(b) In respect of any premiums or payments to which that section applies payable for securing any other benefits, more than £50 in all;

and the relief by way of repayment of tax under that section, or by way of deduction for the purposes of super tax under paragraph (b) of sub-section (2) of section 66 of the Finance Act (1909-10), shall be correspondingly limited.

In calculating the deduction under this section in respect of any premium or other payment payable for securing a capital sum on death no account shall be taken of any sum payable on the happening of any other contingency or of the value of any premiums agreed to be returned or of any benefit by way of bonus or otherwise which is to be or may be received either before or after death, either by the person paying the premium or by any other person, and which is not the sum actually assured.

REAL ESTATE

J. Arthur Charpentier sold to Joseph Patenaude lot No. 5-240, Cote St. Louis, St. Denis ward, for $8,500.

Octave V. A. Emond sold to Albert Piche lot No. 403-73, Longue Pointe ward, measuring 25 by 102 feet, with buildings fronting on Desmarteau street, for $7,900.

Mrs. Lucien Nault sold to Prospere Masscotte lot No. 50-287, Hochelaga ward, with buildings fronting on St. Germain street, measuring 25 by 90 feet, for $6,500.

The City Development Company, Limited, sold to Sheldon H. Stone lot No. 176a-30-2, Parish of Montreal, with building at No. 533 Old Orchard avenue, for $8,000.

J. B. Lavaria sold to Narcisse Beaudry half of lot No. 8-59, St. Jean Baptiste ward, with buildings fronting on Park Lafontaine, at the corner of Rachel street, for $7,000.

Mrs. Charles Bruchesi sold to Mrs. Thomas Bulger lot No. 32-7-8, Parish of Montreal, with buildings Nos. 2770 to 2780 Hutchison street, Outremont, measuring 50 by 100 feet, for $20,000.

Benjamin Wener sold to J. and I. Eliasoph lot No. 558, St. Louis ward, with buildings Nos. 509 and 511 St. Dominique street and No. 32 Grubert street, measuring 22 by 84 feet, for $7,500.

The largest of yesterday's 45 realty transfers involved the sum of $65,400. Les Maisons Salubres sold to J. A. Francoeur lots Nos. 3-117-1 and 2 and Nos. 3118-1 and 2, Hochelaga ward, with buildings 256 to 266 Adam street and 98 Aird avenue, Maisonneuve. The property was purchased previously by Les Maisons Salubres from F. X. Gauthier for $25,000.

Samuel Berlind sold to Joseph A. Berner a third of lot No. 630, St. Lawrence ward, at St. Lawrence Boulevard and Vitre street, and half of lots Nos. 443 and 444, at Dorchester and St. Philippe streets, a third of lot No. 396, measuring 14 by 62 feet, a third of lot No. 433, St. Mary ward, with buildings Nos. 908 to 914 St. Catherine street, measuring 52 by 86 feet, for $3,000.

BUILDING AND LOANS, LTD.

Calgary, Alta., June 15.—The annual general meeting of Building and Loans, Limited, will be held in the Herald building here June 23, when the report of the directors for the year ending December last will be received and a resolution to sell the company to Building and Loans Company, Limited, capitalized at $100,000, for fully paid-up shares to the extent of $70,000, will be discussed.

WHOLESALE MURDER SCHEME TO GET INSURANCE MONEY

Los Angeles, June 15.—The police of Los Angeles have unearthed one of the strangest cases on record wherein a gang by committing a combination of crimes have been defrauding insurance companies. Twenty negroes compose this gang, which is supposed to have reaped a harvest of over $100,000 per year.

It is alleged that they preyed upon white girls and colored men, inducing them to have their lives insured for $1,000 and afterwards teaching them the use of drugs with which they were plied until it resulted in their death.

The police were informed of this traffic in souls by one of the victims who declared that he overheard members of the gang discussing his death while he was believed to be unconscious from the effects of the drug. The police raided the headquarters of the ring, making five arrests and confiscating large quantities of drugs.

The informer said that the head of the gang is now suppposed to be in Ensenada, Mexico, obtaining a new supply of drugs. The police are conducting a thorough investigation.

OMAHA INSURANCE COMPANY TAKEN INTO STATE'S HANDS

National Fidelity and Casualty Company is in Trouble —Difficulty Due to Lack of Reserves and Too Many Lines of Business.

Omaha, Neb., June 15.—Upon entry of an order by Judge Redick, of the District Court of Douglas County, the State Insurance Board on behalf of the State took possession of the National Fidelity & Casualty Company of Omaha, Neb. The company has been in notoriously bad condition for years and this action occasioned no surprise to the insurance fraternity. A. E. Agee, Waterloo, Neb., has been appointed special deputy of the State Insurance Board, to have charge of the affairs of the company.

Mr. David W. Armstrong, Jr., president of the company, said that the difficulties were due to its organization without surplus and its payment of dividends to stockholders so soon after its organization and at a time when its assets should have been conserved, the inflation in former years of assets by a sum vastly in excess of actual value, as well as the failure to provide the company with adequate reserves for pending claims.

These things, together with the conducting of too many lines of business, had created an overhead expense altogether disproportionate to the company's premium income.

In its efforts to rehabilitate the company he stated that the present management had not only been confronted by the above conditions and the general stringency in the finance situation, but had also had to deal with the factional opposition of a small minority of stockholders, which increased the difficulties and contributed in no small degree to bring about the company's retirement from business.

He said that the company had already reinsured with the Southwestern Surety Insurance Company, of Denison, Tex., its liability, plate glass, burglary and accident business, and that its obligations to policyholders would be met in full.

Mr. Armstrong stated that the State authorities had done everything possible to save the company, but that in the opinion of the State Insurance Board, as well as its own directors, the best interests of everyone would be conserved by placing the company in the hands of the State authorities to be dealt with according to law.

IMMENSE WAR ORDERS MAKE SOME STOCKS POPULAR IN MARKET.

War stocks are the popular ones in Wall Street. The very large orders placed by the Allies with American companies for guns, shells, powder and other munitions of war have been very profitable. The following table shows some of the large orders received by manufacturing concerns in the neighboring Republic:—

Bethlehem Steel	$150,000,000
DuPont Powder	100,000,000
American Locomotive Co.	65,000,000
American Car & Foundry	50,000,000
Crucible Steel Company	35,000,000
Westinghouse Electric	27,000,000
Aetna Explosives	22,000,000

The following table (compiled from the records of The New York Journal of Commerce), shows the dividend record and latest quotations of some of the stocks, as compared with those at the close of the Stock Exchange last July:

Stock—	Yearly. Div.	Price. July, 1914.	Price. June 10, 1915.
Allis Chalmers	%	6	18
American Car & Foundry	2	44	54
American Can.		19½	40¾
American Locomotive	4	20¼	49¾
Baldwin Locomotive	4	41	53¾
Bethlehem Steel Company		30	155
E. W. Bliss & Co.	10	85	350
Canadian Explosive	4	88	320
Colts Fire Arms	12	165	355
Crucible Steel		14½	30½
Du Pont Powder	21	120	500
Hercules Powder	6	120	240
N. Y. Air Brake Co.	6	30	87½
Savage Arms Company	6	120	175
Westinghouse Electric	4	65	98
Winchester Arms	$60	1190	1560

SIR EDWARD GREY'S VACATION.

London, June 15.—Sir Edward Grey, far from taking a vacation to rest his eyes, it is reported, has gone to Bucharest to bring about the intervention of Rumania in the war on the side of the Allies, exactly in the same way that he went to Rome about Easter time to bring in Italy, although it was then announced he had 'gone fishing.' He landed a big fish on that visit and is expected to be equally successful in his present venture.

FINE AND MODERATELY WARM.

Showery to-day; Wednesday, westerly winds, fine and moderately warm.

A shallow low era has moved very quickly from the southwestern states to southern Ontario, there causing showers and thunderstorms during the night. The weather continues cool and unsettled in the Western Provinces and light frosts occurred this morning in parts of Manitoba.

FATHER OF DENTISTRY DEAD.

Toronto, Ont., June 15.—Dr. J. B. Wilmott, Dean of the Royal College of Dental Surgeons, is dead at the age of 78. Deceased was the father of dentistry in this province and was largely responsible for the legislation now governing this branch of medical science in Ontario.

MARITIME PROVINCE SECURITIES

(Quotations furnished by J. C. Mackintosh & Co., members Montreal Stock Exchange, 166 Hollis Street, Halifax, N.S.)

	Asked.	Bid.
Eastern Canada Savings & Loan	147	142
Eastern Trust Company	160	155
Mar. Tel. & Tel., pfd.	98	93
Do., common	75	72
N. S. Underwear, pfd.	95	90
Do., Common	35	30
Porto Rico Tel., pfd.	105	102
Do., common	50	45
Stanfields, Ltd., Pfd.	95	90
Do. Common	45	40
Trinidad Electric	72	65
Bonds:—		
Brandram-Henderson, 6 p.c.	98	95
Eastern Car, 6 p.c.	98	95
Mar. Tel. & Tel., 6 p.c.	102	100
Maritime Nail, 6 p.c.	100	97
Porto Rico Tel., 6 p.c.	100	98
Stanfields, Ltd., 6 p.c.	98	96
Trinidad Electric, 5 p.c.	85	80