

premiums paid in connection with policies on the lives of relations—brought on the ground that the policies were knowingly accepted by the agents of the companies, although no insurable interest existed—have had their sequel in warning circulars to insurance companies and friendly societies from the Board of Trade. Legislature dealing with the practice of speculative insurance on the lives of third persons without their knowledge or consent will follow. Regarding the much-discussed question of marine "policy proof of interest" policies anticipations are of a very drastic bill to be introduced by Mr. Churchill, which will make it a criminal offence to take out a policy on a ship unless there is a clearly defined right of ownership in the vessel or interest in the cargo. METRO.

From the Capital

THE ESTIMATED COST OF THE NATIONAL TRANSCONTINENTAL.

**Western Farmers Want Government Elevators—
Supreme Court Decision in Important Bank
Case—Ottawa Civic Affairs—Lord Strathcona's
Generous Cheque to Hand.**

The Minister of Railways and Canals has informed the House that \$48,372,000 had been spent up to February 28 last, on building and equipment of the National Transcontinental from Winnipeg to Moncton. The Government estimate of the further amount required to finish it and put it in working order, ready to hand over to the G. T. P., was \$66,021,206, exclusive of the Quebec bridge, Quebec terminals and line thereto, Winnipeg terminals, or large shops in that vicinity.

While there was some further debating re G. T. P. loan during the week, the main discussion will not take place until after Easter. There is recognition on all sides that the Dominion, having put its hand to the plough, must see to it that the furrow is promptly finished, from coast to coast.

A Plea from the West.

Having been told by the Western Premiers that the provincial ownership of grain elevators is constitutionally *ultra vires*, the farmers of the prairies are turning their attention to Ottawa. This week Dr. Schaffner, of Souris, moved the following resolution: "That the present system of operating terminal and transfer elevators is detrimental to the interest of the Western grain producers, and that the Government should take immediate steps to operate terminal elevators at Fort William and Port Arthur and the transfer elevators between these terminals and the Atlantic seaboard." No ministerial pronouncement was forthcoming.

Stuart vs. Bank of Montreal.

Decision has been rendered by the Supreme Court in a case that has for months afforded matter of interest in banking and business circles. The appellant was the wife of Mr. John Stuart, of Hamilton, at one time president of the Hamilton Bank. Later he formed the Maritime Sulphite Company, operating in New Brunswick. The Bank of Montreal advanced considerable money to this company, but in 1896 refused to make further

advances without additional security. Mr. Stuart proposed his wife, who had independent means, and she became a party to a guarantee for \$100,000, which was later increased to \$125,000. The Sulphite Company went into liquidation in 1901. All of Mr. Stuart's means had been sunk in it. The \$125,000 guaranteed did not cover the indebtedness but in consideration of this transaction the bank released the plaintiff's husband.

This settlement was unquestioned until 1907 when the plaintiff attempted to have it set aside, and brought this action for a declaration that the guarantee and the transfer of her property was not binding on her as the benefit was obtained by the bank through her husband and she had not had advice from any disinterested party.

The trial judge held against her, and his judgment was sustained by an equal division of the Court of Appeal for Ontario. The Supreme Court, however, has allowed the appeal, with costs—one judge dissenting.

Civic Incentive to improve Real Estate.

Ottawa, following Toronto's example, is petitioning the provincial legislature for such amendment to the assessment act as will permit improvements on property being assessed at a lower rate than the land. This is sought to be an encouragement and an incentive to the enterprising citizen to improve his property.

The appointment of a civic purchasing department, with a general purchasing agent at its head, is being advocated. It is claimed that such a department, as an adjunct to the civic audit department, would be a great saving to the city.

Sir Frederick Borden this week received Lord Strathcona's cheque for \$250,000 for the Strathcona Trust Fund for encouraging physical training and drill in schools. The public-spiritedness of the donor evokes expressions of appreciation from all quarters.

SUPREME COURT DECISION IN FIRE INSURANCE APPEAL.

The Supreme Court at Ottawa has allowed the companies' appeals in the cases of Equity Insurance Company vs. Thompson and Standard Mutual Insurance Company vs. Thompson. The actions were in both cases on policies insuring a building used as a drug and chemist shop on the lower storey and a dwelling above. The main question in both cases was on the construction of a statutory condition governing fire policies and prohibiting gasoline, *inter alia*, to be kept or stored on the premises insured. There was a gasoline stove on the premises, usually kept in the upper storey, but on the day the fire occurred it was brought down to the shop, there being about a pint of gasoline in it. The cook of the insured was using it when it exploded, and the premises were totally destroyed. The court below held that this was not a breach of the statutory condition.

Another point was additional insurance without notice. Thompson asked the Equity Company for further insurance, which he obtained for thirty days by interim receipt, but a policy was refused except at a higher premium. Thompson then placed it in another company, which the court below held was merely a substitution of the thirty day risk. The