

usually been sporadic and short-lived. It has been virtually conceded that the greatest freedom of choice is necessary in the investment of such vast funds. New York State prohibits the purchase of stocks and collateral bonds where a certain amount of the collateral is in the form of stock. We all know why that law was passed. In the troublous times of 1906, it seemed to our legislators necessary. It was a method of checking certain abuses which could have been checked more wisely perhaps by other methods without placing on our Statute Books a law which apparently condemns all stocks and deprives us of the right to buy bonds of absolute security, and of a form which is daily becoming more popular because of its inherent strength. The compulsory sale of securities legally purchased was also insisted upon, but apparently the advocates of this measure seem willing to consent to extensions of time and are not very enthusiastic about its enforcement.

Other statutes of a negative character have been enacted, but they are of minor importance. When, however, the law-maker arises in his might and begins to talk affirmatively and says to the trustees "Thou shalt invest in this or that," then we find the trouble really begins. Professor Sumner, in his picturesque style, says most reforms are the result of A and B getting together, and deciding what C shall do. A and B may have no particular interest in what ultimately becomes of C, but if they have power enough they can make it very uncomfortable for him, and in their honest and misguided enthusiasm they may do him great harm.

(To be continued).

PRINCIPAL FIRES IN CANADA, INVOLVING LOSS OF \$5,000 AND OVER, NOVEMBER, 1912.

Date Nov. 1912.	Place.	Risk.	Loss.
1	Montreal	Hat store, drug store, etc.	\$ 15,000
1	Winnipeg	Baptist church	12,000
3	Montreal	Cordage and bag factories	468,000
3	Truro, N. S.	Steam laundry	6,700
4	Nelson, B. C.	Lumber Mill	50,000
6	Kingston, Ont.	Gasoline launch	5,000
9	Blind River, Ont.	Dwellings, etc.	50,000
10	Perdue, Sask.	Elevator	12,000
13	Port Arthur, Ont.	Newspaper Office	15,000
14	Coleman, Alta.	Machine Shop	40,000
17	London, Ont.	Hat warehouse, etc.	29,000
18	Quebec City	Shoe Factory	30,000
18	Ottawa	Newspaper Office	5,000
18	Toronto	Sporting goods warehouse	50,000
20	Sault Ste. Marie, Ont.	Oil Co's. warehouse, etc.	22,800
20	Prescott, Ont.	Freight sheds and offices	40,000
22	Toronto	Novelty manufacturers	8,000
24	Dryden, Ont.	Stores	8,000
25	Montreal	Packing Case Factory	7,000
26	Sarnia, Ont.	Hub and Spoke factory	100,000
28	Langdon, Sask.	General store	35,000
28	Dryden, Ont.	Power House and sluice gates	100,000

The directors of the Dominion Textile Company on Monday declared a quarterly dividend of 1½ per cent., placing the stock on a 6 per cent. basis as compared with the 5 per cent. paid since July, 1907.

Legal Decisions

LIMITED RESPONSIBILITY OF MUNICIPALITY REGARDING FIRES.

An interesting decision has lately been given by the Court of Review at Montreal with regard to the limited responsibility of municipalities for fire losses incurred within the municipal limits. The case was that of Quesnel vs. La Ville Emard, *et al* and City of Montreal, defendant by *reprise d'instance*. This was an action for \$1,756.50 damages alleged to have been suffered by the destruction of a building belonging to the plaintiff within the limits of Ville Emard as the result of a fire which occurred on March 14, 1910. The action was dismissed by the Court of Review. In giving their decision Mr. Justice DeLorimier said in part:—

The important question is as to whether there is a *lien de droit* between the parties such as to render the defendants legally responsible, towards the plaintiff, for the damages claimed. It is evident that in the absence of such a *lien de droit* the action must fail whatever may be the verdict (C. R. 459). As regards the responsibility of the defendant, Ville Emard, and of the City of Montreal by *reprise d'instance* . . . it is evident that there can be no other responsibility than that which may have existed at the time between the plaintiff and Ville Emard. If we refer to the Cities and Towns Act of 1903 and amendments which, at the time of the fire, governed the obligations of the municipality, we find therein no provisions which might compel it to protect the property of ratepayers in case of fire or which might make it liable in damages to the ratepayers for the losses they might suffer as the result of fires. Nothing in the law or in the statutes imposed on Ville Emard the obligation of becoming an insurance company for the purpose of protecting the property of its ratepayers or for that of paying them fire losses. Under the law as it stands the municipality had the right of adopting by-laws for the organization of a fire department. When such power is exercised it is exercised only as a facultative power and does not impose on the municipal corporation the obligation of indemnifying its ratepayers from fire losses.

The taxes which may then be levied are only levied for the purpose of defraying the cost and expenses of such fire departments. If municipal corporations were to be responsible for fire losses, these small taxes could not begin to suffice to cover the possible loss of a large fire, and the law would, in such a case, have to authorize municipal corporations to enter into the insurance business. The fire department of Ville Emard was similar to that of many other localities in the province. The system was as efficient as the town finances would allow, but none the less was absolutely incomplete. When a fire broke out in the town the citizens united in their efforts to fight it. The two or three firemen then in the town's employ were not experts, nor was their only duty that of fire fighting. It is our opinion that the jurisprudence has established it that the imperfections of these fire departments cannot give rise to a liability in damages on the part of a municipal corporation sued by a ratepayer as a result of the burning or destruction of his property. Naturally, this jurisprudence does not cover the case of the liability of a municipal corporation by reason of a tort formally authorized by it which could be the cause of a fire.

This decision follows others which have been given in the Province to the same effect.

Mr. Neil D. Sills, of the Sun Life of Canada, president of the National Association of Life Underwriters, has introduced an innovation in life insurance education at Richmond, Va., in an arrangement with the Superintendent of Schools for a course of lectures on "Life Insurance." Mr. Sills will be the first speaker.