

L'assurance contre la responsabilité civile est-elle utile ?

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Résumé de l'article

Doit-on s'assurer contre la responsabilité civile quand on est propriétaire, locataire ou usager d'un immeuble, quand on est fabricant, médecin, dentiste, pharmacien ou quand on dirige un hôpital ? Si on veut donner une réponse immédiate à cette question, sans avoir à invoquer les dispositions du Code Civil, on n'aura qu'à mentionner quelques exemples tirés de la liste reproduite ci-après. Nous l'empruntons à l'excellent bulletin mensuel de la Dominion of Canada General Insurance Company.

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151

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BUSSINESS FIRMS AND INDIVIDUALS BUY LIABILITY INSURANCE BECAUSE

1. They fear a lawsuit for damages. A large judgement may be a financial catastrophe. Even legal costs may be a serious loss.
2. They know that when insured against such loss they also have the experienced counsel of well trained adjusters and the services of the best available lawyers to protect their interests.

Personal Injury claims predominate but Property Damage claims often involve substantial sums. Property damage Insurance, now so inexpensive, should be sold with all liability policies.

The following third party claims taken from our own records and recent law reports emphasize the need for adequate protection. Agents will find these cases will both suggest prospects and help the sale of liability policies.

A S S U R A N C E S

PERSONAL AND FARM

Pedestrian injured by bicycle	\$ 235.00
Tractor in highway accident—	
Injuries	3,800.00
Property damage	280.00
Injuries to golf partner, lost eyesight	2,042.00
Guest slipped on steps of house	600.00
Maid caught hand in washing machine, medical payments	180.00
Postman fell over child's wagon, fractured leg	290.00
152 Golfer hit man on chest with sliced drive	150.00
Caddy hit in eye by golf ball	1,300.00
Straying farm animals damaged automobile	490.00
Burning leaves destroyed neighbour's fence and garage	425.00
Windshield of car broken by ball	26.50
Damage to neighbour's crops by cattle	175.00
Burning straw destroyed neighbour's grain	900.00
Tractor in collision on highway	380.00

SCHOOLS

Girl injured in shoolyard	\$ 45.00
Boy's leg cut at school rink	100.00
Swing broke, boy's leg fractured	650.00
Crippled student broke hip while being assisted into residence	157.00
Student broke arm in gymnasium	381.78
Pupil instructed to stoke fire in stove, severely burned	1,450.00
Boy lost eye in rifle range	3,000.00

STORES AND APARTMENTS, ETC.

Smudge damage to furnishings and clothing	\$ 220.00
Fire destroyed property tenants	14,000.00
Cornice fell from office building, damaged parked cars	820.00
Water damage to tenant's furniture in apartment building	650.00
Tenants injured in apartment house fire	8,500.00
Tenant of apartment overcome by fumes from refrigerant	200.00
Lady fell on steps of church, fractured hip	550.00
Customer fell on floor of gift shop	300.00
Visitor fell on apartment steps, fractured ribs	480.00
Customer fell into pit of service station, breaking leg	350.00
Man slipped on floor of hotel vestibule	151.00

A S S U R A N C E S

Employee of tenant in office building died as result of fire	10,707.65
Lady slipped in vestibule of office building, knee fractured	429.20
Woman tenant in apartment injured when railing gave away	102.50
Lady injured in fall on icy church steps	375.00
Guest injured when window in hotel washroom fell, striking her head	23.00
Display sign in store fell, breaking window—two ladies on sidewalk by flying glass	242.25
Client fell into improperly lighted furnace pit	274.00

MANUFACTURERS' AND CONTRACTORS'

153

Contractor left material on sidewalk over which lady stumbled	\$ 650.00
Liquid cement falling from scaffold injured passer-by	375.00
Car collided with contractor's equipment on road-side without red light	4,160.00
Manufacturer liable for fire damage to several buildings	40,000.00
Fire spread to adjoining stores	16,000.00
Snow fell off roof of factory damaged automobile	195.00
Contractor's employee lost leg on factory railway siding	3,900.00
Grandstand broke, spectator fell five feet, seriously injuring shoulder	1,900.00
Employee unloading merchandise from truck knocked over an elderly woman	350.00
Building being moved, damaged gasoline pumps	101.90

ELEVATOR

Elevator door closed on man's ankle, badly bruising it	\$ 75.00
Elevator door left open, passenger fell and was crushed to death between car and shaft	3,046.35
Tenant fell down elevator shaft	2,800.00
Cable broke, six passengers and operator injured	23,000.00

HOSPITAL MALPRACTICE

Patient slipped off carriage on way to operating room, receiving head injuries	\$ 770.00
Baby caught infections disease while in hospital	150.00
Hospital attendant applied wrong local anaesthetic during operation	650.00
Patient burned in course of heat treatment	273.00

ASSURANCES

Patient's foot burned by hot water bottle while under under anaesthetic	600.00
Nurse instilled wrong solution in baby's eyes causing blindness	6,000.00

PHYSICIANS' AND DENTISTS'

Girl had infected throat after tonsil operation sued for	\$ 1,000.00
Dentist extracting tooth let one slip down to patient's lung	500.00
Doctor treating skin disease on child's face and was accused of leaving permanent scar, sued for	1,000.00
Doctor removed uvula when performing tonsil operation	1,076.00
Patient burned by X-ray treatments	1,250.00
Dentist left roots of tooth when making extracting—infection	1,333.65
Surgeon set fractured leg improperly, sued for	40,000.00
Dentist used unsterilized instruments—infection	800.00
Dentist extracted wrong tooth on instructions from surgeon —surgeon held liable	5,000.00

154

DRUGGISTS'

Prescription by error included poisonous drug, patient died \$	8,500.00
Poison wrongly labeled	900.00
Prescriptions switched, mistake in delivery	500.00

TEAMS'

Runaway horse damaged car	\$ 65.00
Small child on sidewalk injured by horse pulling bread wagon	300.00
Child on tricycle hit by dairy wagon	501.00
Child's leg broken in collision with wagon	201.00
Team broke plate glass window	89.50
Collision with automobile, upset	4,600.00

EMPLOYERS' LIABILITY (and Voluntary Compensation)

Teacher slipped on icy school steps, broke ankle	\$ 121.50
Employee attacked by watchdog—tore muscles in arm	132.00
Laundress' hand seriously injured in mangle	1,853.50
Farm hand badly injured by shaft in seed mill	1,600.00
Employee badly burned by live wire	600.00

A S S U R A N C E S

PRODUCTS AND COMPLETED OPERATIONS

Contractor liable for damage caused by sign blowing off roof, insecurely fastened	\$ 850.00
Glass in ice cream.....	900.00
Tooth broken by stone in candy bar	250.00
Gasoline delivered to dry cleaners in mistake for non-inflam- mable cleaner	9,600.00
Service station operator sold gasoline to small boys. Case dismissed on appeal to Supreme Court of Canada. Heavy Costs.	
Dye in cloth caused skin infection	720.00

155

