

MR. D. W. C. SKILTON, the genial and popular president of the Phoenix Fire of Hartford, accompanied by Mrs. Skilton, was in Montreal for a few days about the middle of September.

"YE PATRIARCH," HINE of the *Monitor*, accompanied by Mrs. Hine, was among the noted visitors to Montreal recently. We are pleased to see Brother Hine looking so well and vigorous.

MR. C. D. CORY, managing director of the Eastern of Halifax, spent a few days in this city recently, and favored the CHRONICLE office with the light of his countenance. Mr. C. also visited Toronto.

MR. M. FLANAGAN, city clerk of Kingston, favored us with a very pleasant call last week. Mr. F. arrived in Canada from the Green Isle just half a century ago, and has been an official of the city of Kingston for 48 years. He also represents the North British and Mercantile insurance company.

MR. T. W. LETTON, formerly manager at Chicago of the Union Fire of California, has been appointed manager for the United States east of the Rocky Mountains for the Prussian National Fire of Stettin, Germany, with headquarters at Chicago. The company has a good record, and has been represented on the Pacific Coast since 1881.

IN MEMORIAM.

MR. JOSEPH F. KNAPP, for over 20 years president of the Metropolitan Life Insurance Company of New York, died on the 21st ult., while on his return voyage from Europe, where he had spent several months in search of better health. Mr. Knapp was a gentleman universally esteemed for his moral worth no less than for his intellectual ability, and will be missed from the ranks of the world's good and true men.

MR. FREDERICK CARPENTER, who since October last has been the secretary of the London Assurance Corporation, and in its service for about fourteen years, died recently after a month's illness at the age of 43 years. Upon the death of Secretary Lawrence, noted over a year ago in these columns, Mr. Carpenter succeeded to the position, which he filled with credit to himself and with profit to the corporation until his death.

THE MANY FRIENDS and former associates of Mr. W. H. Rintoul will learn with sincere sorrow of his death, reported by cable from Glasgow, on the 26th ult., at about the age of 57 years. Mr. Rintoul was born in Canada, the son of an esteemed Presbyterian clergyman, and gave the best energies of his life to the business of fire insurance in the Dominion, where for twenty-five years he was the representative of the Imperial Fire, at first being associated with his brother, but for the most part sole manager, until 1885, when he became known as resident secretary. Failing health compelled him to resign this position in May, 1889, and to seek restoration by travel in Europe and elsewhere. He revisited Montreal for a few weeks last summer, but returned to Scotland, where, as above stated, death overtook him. The deceased was unmarried, and his only surviving near relative was a sister who shared his travels and was with him in his last hours. As he was respected by all who knew him in life for his qualities as a man and his abilities as an underwriter, so in death will his loss be generally mourned.

Legal Intelligence.

FIRE INSURANCE.

COURT OF QUEEN'S BENCH, on Appeal. Sept., 1891. *Connecticut Fire Ins. Co., appellant, Walter Kavanagh, respondent.* Fraudulent transfer of policy.

BADY, J.—The respondent is charged with fraud towards the company in having, after a fire, transferred the insurance of the property damaged to the company appellant, instead of leaving this insurance in the Scottish Union & National Insurance Company, for which he was also agent and in which the insurance had been first effected.

The appellant paid the insured, Warden King, the sum of \$2,902.24, being the amount of his loss by the fire, and the company appellant now demands that the respondent be condemned to pay this sum back to it on account of the fraud of which it accuses him. It is true that the company was not fortunate in this affair, but it has failed in the efforts it has made to prove that its agent committed fraud. I admit that the circumstances are singular, but they do not constitute fraud, which must never be presumed, but must be proved.

The respondent was agent for two insurance companies. The property in question had been insured previously for a long time in the British America Assurance Company, which at last became unwilling to continue the insurance. On the 8th July, 1888, the defendant insured the property in the Scottish Union & National Insurance Company, at Hartford, but this latter Company refused the risk, and so informed the respondent, who unsuccessfully urged the directors to accept the risk, believing it to be a good one. They, however, again refused. Then, on the 13th July, 1888, receiving a letter to that effect, he directed his clerk to cancel this insurance, and to place it among the risks of the company appellant, according to the custom and practice followed. This transfer with the premium bore date the 8th July. His daily report to the company containing this notice was addressed and posted to the head office of the appellant, company at Hartford, between 2 and 3 o'clock in the afternoon. And on the 16th July, the directors accepted the risk.

Unfortunately, about the same hour on the 14th of July, a fire broke out in Mr. King's premises, which were partially destroyed; but it is proved that the respondent was not aware of the fire when he made the transfer from one company to the other.

There is nothing, absolutely nothing, in the proof to make me think that the respondent wished to defraud the company appellant, or that the insurance therein was effected fraudulently or otherwise than according to the practice followed in like cases, where the same agent represents one or more companies. The judgment which declared this, and which dismissed the appellant's action against respondent, is therefore well founded, and consequently we will not disturb it. The appeal is dismissed with costs.

TOWN OF PORT ARTHUR.

875,000.00 DEBENTURES FOR ELECTRIC STREET RAILWAY PURPOSES.

SEALED TENDERS will be received by the undersigned up to Monday the 16th day of November, 1891, for the purchase of the whole or any part of the above issue of Debentures by the Town of Port Arthur. The By-law under which these Debentures are issued has been ratified and confirmed by the Legislature of the Province of Ontario, and the route of the railway has received the assent of the Lieutenant-Governor in Council. The Debentures are issued in amounts of \$1,000 each for a period of 30 years, bearing interest at the rate of 4 per cent. per annum, payable half-yearly.

Further particulars may be had on application to

W. H. LANGWORTHY,

CORPORATION OFFICES,
Port Arthur, September 15th, 1891.

TOWN CLERK.