

OUR OLD FRIEND Mr. T. H. Schneider, who for some years successfully represented the Federal Life in this city, and who a few months since engaged in commercial pursuits, has decided to re-enter the life insurance arena.

MR. HENRY W. BALDWIN, manager of the New York Life for Western Massachusetts, Connecticut, Rhode Island, New Jersey and Long Island has resigned Mr. Robt. A. Whitney, who has been associated with Mr. Baldwin, succeeds him on June 30.

MR. W. F. BREWSTER, some years ago well-known in insurance journalism, and who founded the *North-western Review* at Chicago (afterward changed to the *United States Review* on its removal to Philadelphia), died at his home in Cambridge near Boston on the 13th ult., aged 64 years.

MR. W. FITZGERALD, Dominion superintendent of insurance, is in Toronto completing his annual examination of the insurance companies. Mr. Fitzgerald is held in high esteem by the insurance fraternity for his impartiality and efficiency, to which it gives us pleasure to bear testimony.

MR. JEFFREY BEAVAN, United States manager of the London and Lancashire Fire, visited Montreal and Toronto recently. He is about to appoint a successor to Mr. W. A. Sims of Toronto, who has for many years so successfully represented the company, but who has now decided to retire from the fire insurance field.

A CONTEMPORARY STATES, that Mr. A. C. Edwards, heretofore connected with the Equitable Life at Halifax is to become manager of the London Guarantee and Accident company for the United States. It is expected that Mr. A. W. Masters, an inspector of the Equitable, will also enter the service of the London Guarantee in a similar capacity for the United States.

Legal Intelligence.

FIRE INSURANCE.

N.Y. COURT OF APPEALS, March, 1892. *Berry vs. American Central Ins Co.*—Waiver of conditions.—Compromise.—Fraud.—Insurable Interest.

1. An insurance policy provided that it should be void if, without notice to the company, and permission therefor in writing indorsed on the policy, the "interest of the assured be any other than the entire, unconditional and sole ownership," and that "no agent has any power to waive any condition of this policy." The legal title to the property was in the son of the assured, and assured was in possession under a contract that he should have the use of the property during his life, on condition that he keep it insured, in repair, and pay the taxes, of which assured, when he made his application, informed the company's general agent. Held, that the evidence was sufficient to sustain a finding that the condition of the policy as to title of the property was waived.

2. Where the adjuster of the company, after a loss under such policy, represented to assured that the policy was void because the title to the property was not in him, whereupon the assured settled with the adjuster for about one-half of the amount due on the policy, the settlement will be set aside as procured by fraud, though the adjuster acted in good faith.

3. In such case, where plaintiff, before suit, and in his complaint offered to return the draft, and on the trial produced it in court, to be subject to the decree, the tender to return what he had received was sufficient.

4. One in possession of property for life under a verbal agreement with the owner to pay the insurance, repairs, and taxes, has an insurable interest therein.—(*N.E. Reporter*).

PROPERTY ON LEASED GROUND.

A few days ago a case was decided in Detroit by Judge Gartner, whereby Ahlberg and Tilden, as partners, owning the factory of the American Screen Company, won suits for the amounts named against six fire insurance companies in which they were insured, as follows:—American, \$311.25; German American, \$518.75; Oakland Home, \$518.75; Mercantile F. & M., \$622.50; Security, \$518.75; and Hamburg-Bremen, \$518.75; total, \$3,008.75. Early in 1891 the factory, which was on leased ground, belonging to the Michigan Central Railroad Co., was insured by Parkinson and Bonninghausen, Detroit agents, in the companies above named. On May 23, 1891, the property was burned, and soon after proofs of loss were filed. The companies refused to pay, on the ground that the insured property was on leased ground, there being a provision in the policies to the effect that if such were the case the policy would be void unless the fact of such lease were stated on the policy. The plaintiffs put in evidence the fact that no questions were asked or anything said to or by the agents with reference to the ownership of the land on which the property was situated; and another policy, issued the year before on the same property by one of the same agents, was admitted in evidence, in which the situation on leased ground was stated. The judge held that the knowledge of the agent was the knowledge of the companies, and that, therefore, knowing the fact as to the ownership of the ground and receiving premiums from the insured, the companies could not plead the defence set up. It is said that the companies will carry the case to the Supreme Court.

WANTED.—A Fire Insurance Inspector for Mills and Factories and Town Fire Preventive Appliances for the Prov. of Quebec and Eastern Ontario. Apply by letter to P. O. Box 767, stating age and experience, salary expected and if able to speak French.

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