MEMORANDUM.

The letter from the Insurance Society hereto annexed of March 31,1896 is in reply to one I sent them asking for a copy of the Policy. My Attorney, Mr Tennant had previously written making the same request and was refused. I have no copy of his letter or of mine here, but there can be no doubt that the Company was informed of the reason of my request for a copy, to wit: That the assignment to Temple was not absolute but to secure a debt for which I was liable as endorser.

The other letter from the Company to Mr Kilmer shows:

1--The amount of the Tontine was $6089.70, according to the Company's estimate. This is impossible. As they chose the 3rd option, they must have taken a paid-up Policy or annuity on my life.

2--If you will read the conditions of the Tontine, you will see that the agreed amount of cash accumulation was $5595.50. In addition to this was to be an equal part of the profits of the Tontine class. This they have omitted to state, or if they did state, have made it so small as to be absurd.—

I want to make them reveal the actual profit on this class. I think this matter has been litigated and a decision rendered against the Company, but have not the title of the case--saw it in a newspaper, I think. Probably the Company settled the case to prevent final judgment on appeal. We should force them to reveal the value of this element of the Tontine. The whole should be very near the amount of the Policy.

The copy of the Policy you will receive with this is the identical one sent me by the Company in 1896.

A. W. T.

Dft. 11-1403.

CHAUTAUQUA COUNTY NY HISTORICAL SOCIETY 2013