

Mr. Philip Wagner, Executive Secretary (continued)
Employees' Retirement System

It could be argued that the Employees Retirement System by these words defined those who would satisfy the qualifications of having an "insurable interest" as including "relatives" and by so doing, deceased was induced to designate his cousins, "relatives", as beneficiaries. It has been held that if the rules of a fraternal organization permit a designation of members of the insured's family or his relatives, such expressions will be given a liberal construction. (2 Appleman - Insurance, Section 822)

It is our opinion from the facts presented by the designated beneficiaries that they had such an insurable interest in the life of Mr. Natale as would entitle them to receive the ordinary death benefits; however, inasmuch as these facts have not been verified by any independent investigation, we recommend that before any payment is made on these claims, that both claimants be required to secure a corporate indemnity bond in the amount of the sum due hereunder, indemnifying the City, its agents and employees, against any loss which may be suffered in connection with such payment to the aforesaid claimants.

If you have any further questions, please do not hesitate to call.

Very truly yours,

/s/ FRANCIS B. BURCH
City Solicitor

/s/ BLANCHE G. WAHL
Assistant City Solicitor

FBB:BGW:LN