In In re McKellar, 21 C. L. T. Occ. N. 381, the Chancellor held that it is not "desirable to incorporate the somewhat technical and not always satisfactory doctrine as to the vesting of legacies into these policies of insurance." That case, it is true, is not quite the same as the present; but the principle upon which it is decided is plainly stated.

The statute, Ontario Judicature Act, sec. 81 (2), says: "It shall not be competent for the High Court or any Judge thereof in any case . . to disregard or depart from a prior known decision of any Court or Judge of co-ordinate authority on any question of law . . without the concurrence of the . . Judge who gave the decision; but if a Court or Judge deems the decision previously given to be wrong and of sufficient importance to be considered in a higher Court, such Court or Judge may refer the question to such higher Court."

"Deem the decision to be wrong" does not mean "have a suspicion that the decision may be wrong." "Deem" must mean something in the nature of a doom or judgment, and, in view of the cases in Chancery in England, I cannot, notwithstanding the persuasive reasoning of the Irish Master of the Rolls, say that my mind is so clearly convinced as to the law to deem, doom, or adjudge the decision in In re McKellar to be wrong. Such being the state of my mind, I am bound by this decision, and I follow it.

The plain intention of the deceased, as expressed in the policy of insurance, is: (1) that the fund shall be invested so as to produce a revenue; (2) that until the death or marriage of his wife the interest shall be given to the wife for the benefit of herself and her children; (3) that upon the death or marriage of his wife the interest is to be divided among the children, the corpus being kept invested until the youngest is of full age; and (4) that the corpus shall be divided equally among his children.

If there were any doubt that the beneficiaries are to receive equally, that is settled by the Insurance Act, R. S. O. 1897 ch. 203, sec. 159 (7).

How, in the case of the death of any of the children, the interest, or, at the time for distribution, the corpus of the estate, is to be divided, are matters which the deceased did not consider—at all events he has made no express provision for that event. This will, of course, depend upon the interest taken by each child of the deceased. As a not dis-