caused, the corporation are liable just in the same way as the master is responsible for the negligence of his coachman. . . .

The motion must be dismissed. Considering the long delay, I think the costs should be to plaintiff in any event. See Phillips v. Beal, 26 Ch. D. 621. . . .

CARTWRIGHT, MASTER. DECEMBER 22ND, 1903.

CHAMBERS.

RE LAUGHLIN.

Infant—Legacies—Surrogate Guardian—Payment into Court.

Eliza Laughlin by her will gave legacies of $100 each to four infants aged 20, 19, 16, and 13 respectively. Both parents of the legatees were dead. A guardian was appointed by the Surrogate Court of the County of Peel on the 12th June, 1896. The security then given, it was admitted, had no reference to these legacies.

The executors applied for an order under the Trustee Relief Act allowing them to pay the legacies into Court.

D. L. McCarthy, for the guardian, contended that the money should be paid to him, citing Huggins v. Law, 14 A. R. 383, and Hanrahan v. Hanrahan, 19 O. R. 396.

A. McKechnie, Brampton, for the executors, submitted to whatever order might be made, but pointed out the facts as justifying payment into Court.

THE MASTER.—I stated at the argument that my impression, derived from 20 years' service in the Accountant's office, was that the policy of the Court was to have infants' money in Court. I am confirmed in this view by a fresh perusal of the judgment of the Chancellor in Re J. T. Smith's Trusts, 18 O. R. 327.

The order will therefore go as asked. Costs of the payment is fixed at $10, as the amount is small.

There was no suggestion that the money was needed for the maintenance of the infants. Application can always be made if any necessity arises hereafter.