

ultra vires policy of indemnity, but that the property in respect of which the insurance attached was that defined by the enabling section of the Ontario Insurance Act (R.S.O. 1897 c. 203, s. 166) and that standing timber was not included.

Riddell, K.C., and MacMurchy, for plaintiffs. Shepley, K.C., and Magee, for defendants.

Meredith, C.J.C.P.] IN RE FARLEY. [March 31.

Life insurance—Benefit certificate—Designation of beneficiary—Trust for "legal heirs"—Preferred beneficiaries—Revocation.

By its beneficiary certificate bearing date Sept. 12, 1901, a benevolent society agreed to pay \$2,000 to the beneficiary or beneficiaries designated on the certificate, power of revocation and substitution being reserved to the member. By an indorsement made in the same month the member directed that payment should be made to three named persons "executors in trust for legal heirs," reserving power of revocation and substitution. Two years later the member, by instrument in writing identifying the certificate, directed that the moneys payable under it should be paid to his daughter-in-law, and by his will made about the same time he also assumed to dispose of the moneys in her favour. The member died in May, 1904, leaving him surviving a grandson, the daughter-in-law, and several brothers and sisters:

Held, that a designation of "legal heirs" as beneficiaries, although these legal heirs may in fact be members of the preferred class of beneficiaries, does not come within sub-s. 1 of s. 159 of the Insurance Act; that the declaration was revocable and had been revoked; and that the grandson, who claimed as "legal heir" was not entitled to the fund.

H. E. Rose, for trustees. W. R. Riddell, K.C., for grandson. A. Hoskin, K.C., for daughter-in-law.

Divisional Court.] SLATER v. LABEREE. [April 3.

Division Court—Jurisdiction—Claim over \$100—Promissory note—Endorser.

Having regard to s. 8, sub-s. 24, of the Interpretation Act, the word "document" in s. 1 of 4 Edw. VII. c. 12, amending s. 72 of the Division Courts Act, may be read if necessary in the plural, and therefore the increased jurisdiction of the Division