

W. H. Blake, K.C., for Mary E. Bannon, a daughter of the insured.

BRITTON, J.—The certificate is dated 31st January, 1896, and the money is made payable to Mary E. Tidey or her assigns. This was, by indorsement on 5th April, 1904, revoked, and a direction given to pay to the executors of Mary E. Tidey. On 27th June, 1904, John A. Tidey made his will, giving the money secured by this certificate to his daughter Mary E. Bannon for her own use, but subject to the direction that she should invest the money with his executors, and giving them the right to pay out money for her maintenance and also for the maintenance of her mother. John A. Tidey died on 28th June, 1904.

One Peter Wood sets up some claim to this certificate by virtue of an alleged assignment from Mary A. Tidey.

Mr. Blake opposed the payment into Court, as the only persons who now can be interested in this fund are prepared, upon its being paid over to the daughter, to give a release.

I think the petitioners are entitled to relieve themselves of all responsibility in regard to this money by paying it into Court, and the usual order must go.

If the claimants Mary E. Bannon and Peter Wood and the executors of John A. Tidey agree as to the payment out of this money, there should be no difficulty and comparatively little expense in disposing of the matter satisfactorily.

BRITTON, J.

NOVEMBER 22ND, 1904.

CHAMBERS.

RE MILLER.

Life Insurance—Benefit Society—Beneficiaries—Alteration in Certificate—Payment into Court—Issue—Parties—Who to be Plaintiffs.

Petition by the Order of Canadian Home Circles, a benefit society, for leave to pay into Court \$1,000, being part of the amount secured by a beneficiary certificate upon the life of John Wesley Miller.

W. A. Dowler, K.C., for petitioners.

J. H. Spence, for Christiana W. Miller.

W. H. Blake, K.C., for William F. Miller.

BRITTON, J.—On 24th June, 1891, a certificate issued for \$2,000 payable to Christiana W. Miller, wife of insured. On 27th April, 1894, John W. Miller applied to increase the