

March, 1901, and on the 21st September, 1901, he signed a direction and apportionment of the full amount of the insurance money in favour of his wife, which direction was given to the company immediately thereafter. He died on the 16th June, 1902. The amount payable by the company under the policy was \$974.25. They paid the widow \$800. She claimed the balance also under the direction made by the insured, and the mother also claimed it by virtue of the promises made by the insured.

R. McKay, for the company and the widow, relied on secs. 151, 159, and 160 of the Insurance Act, and *Potts v. Potts*, 31 O. R. 452.

C. E. Hewson, K.C., for the mother, relied on *Book v. Book*, 1 O. L. R. 86.

THE MASTER.—Since the decision of the Court of Appeal in *Book v. Book*, 1 O. L. R. 86, the sections referred to have been amended by 1 Edw. VII. ch. 21, sec. 2, providing that “a beneficiary shall only be deemed a beneficiary for value when he is expressly said to be so in the policy.” In my opinion, the widow of the insured is entitled to the amount in dispute, the amendment governing the case and placing the law as it was declared by Meredith, J., in *Book v. Book*, 32 O. R. 206, whose decision was reversed by the Court of Appeal, 1 O. L. R. 86.

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WINCHESTER, MASTER.

OCTOBER 29TH, 1902.

CHAMBERS.

### MACLEAN v. WOOD.

*Particulars—Statement of Claim—Action to Set aside Resolution of Shareholders of Company—Allegation of Non-compliance with Companies Acts—Submission to Court.*

Motion by defendant Wood for particulars under paragraphs 10 and 11 of the statement of claim. Action to set aside a resolution passed by the shareholders of the defendant company, the World Newspaper Company of Toronto, as being illegal, fraudulent, and void, and for an injunction. The plaintiffs in their statement of claim set out the resolution complained of and the calling of the meeting of the shareholders, etc., and in the 10th paragraph alleged “that in calling said meeting of shareholders and in the conduct of said meeting and the passing of said resolution, the provisions of the Ontario Companies Act and amending Acts were not complied with.” Paragraph 11 was as follows: