

RE FRANCISCO AND CANADIAN ORDER OF CHOSEN FRIENDS—  
SUTHERLAND, J., IN CHAMBERS—MAY 13.

*Insurance—Life Insurance—Motion by Insurance Society for Leave to Pay Moneys into Court—Necessity for—Insurance Act, R.S.O. 1914 ch. 183, sec. 176.*—Under a life insurance certificate issued by the society to one Almeda Francisco, \$400 became payable by the society, she having died on the 18th February, 1916. The society, having doubts as to the person or persons entitled to payment, asked to be allowed to pay the money into Court. The Official Guardian contended that, in view of the consent of the adult beneficiary and executor, lodged with the society, there was no occasion for a motion—the money might be paid in under the Insurance Act, R.S.O. 1914 ch. 183, sec. 176. SUTHERLAND, J., considered, however, that that section was applicable only in a very plain case; and he made the order for payment in, fixing the costs of the society at \$20. Lyman Lee, for the society. F. W. Harcourt, K.C., as Official Guardian, representing infants concerned.