

Section 160 of the Insurance Act, R. S. O. 1897, ch. 203, provides that the assured may by instrument in writing attached to or endorsed on or identifying the policy by its number or otherwise, vary a policy . . . previously made so as to restrict or extend, transfer or limit the benefits . . . and may from time to time by an instrument in writing attached to or endorsed on the policy or referring to the same, alter the apportionment as he deems proper; he may also, by his will, make or alter the apportionment of the insurance money; . . . and whatever the assured may, under this section, do by any instrument in writing attached to or indorsed on or identifying the policy, or a particular policy or policies, by number or otherwise, he may also do by a will identifying the policy or a particular policy or policies by number or otherwise."

Does, then, the will in this case identify the policy (or certificate), in such a manner as to satisfy the requirements of sec. 160?

The question of identification was considered in *Re Cochran*, 16 O. L. R. 328; 11 O. W. R. 956, a judgment of the Divisional Court, at p. 332, of which the Chancellor said that identification of a policy by its number "or otherwise" would include reference by date and amount and other means of incorporating one document with another.

Here we have identification by the name of the Order or body which issued the certificate and the amount of the certificate, and I know of no better means of identification by an instrument not attached to or endorsed upon a policy, unless it be in cases where the identification is by the date of the certificate as well.

My view is that a change as to the beneficiaries and an altering of the apportionment of the moneys has been effected, and that the moneys represented by this certificate are to be divided as directed by the will.

The shares of these moneys to which the infants are entitled will be paid into Court to be paid out to them as they respectively come of age. Costs of all parties to be paid out of the fund.