

of the fact of "legal adoption" was left to the Supreme Secretary (sec. 324), and the provision was made that the proof of legal adoption was to be satisfactory to the Supreme Secretary. In my view, the Supreme Secretary was made the judge as to "legal adoption," and particularly in a country where "legal adoption" has no meaning in the proper use of the words. I think his decision is final. In our province, I think that what the Supreme Secretary decides to be "legal adoption" is "legal adoption" for the purposes of the insurance, no statute or other law of the province being violated.

As the benefit certificate cannot be issued until the Supreme Secretary is satisfied, it must be taken that the Supreme Secretary has decided that Lucy Hendershot was the adopted daughter or, to use the words of the rules, the child by legal adoption of the member, *A. O. U. W. v. Turner* (1910), 44 S. C. R. 145.

(b) I think it equally clear that Rhoder made "no other or further disposition thereof as provided in the Laws of the Order," sec. 327, making an assignment void, and sec. 326 declaring that a certificate is not to be held or assigned to secure or pay any debt, and the provisions of sec. 333 permitting a change of beneficiary to be effected by surrender of certificate and payment of a small fee not having been taken advantage of.

(c) The defendant appeals to the Act of 1904, 4 Edw. VII. ch. 15, sec. 7, but that has no application; it only applies in the case of preferred beneficiaries; husband, wife, children, grandchildren or mother, R. S. O. (1897), ch. 203, sec. 159; and adopted children are no more "children" than are god-children, or than the "wife" in *Crosby v. Ball* (1902), 4 O. L. R. 496, or *Deere v. Beauvis*, 7 Que. P. R. 448, was a wife.

The statute to apply is R. S. O. (1897), ch. 203, sec. 151 (3). The assured may designate to . . . the beneficiary . . . and may . . . by the . . . like instrument from time to time alter . . . the benefits . . . or substitute new beneficiaries . . . (6) "and if all the beneficiaries die in the lifetime of the assured . . . the insurance money shall form part of the estate of the assured." This is applicable to the Royal Arcanum, sec. 147. The Royal Arcanum is not a society incorporated under R. S. O. (1897), ch. 211, so as to be entitled to pay the in-