

There will, therefore, be judgment dismissing the action with costs, and allowing the defendants the amount of their counterclaim, \$18.10.

HON. MR. JUSTICE KELLY.

JULY 16TH, 1912.

RE WATSON & ORDER OF CANADIAN HOME
CIRCLES.

3 O. W. N. 1605.

Insurance — Life — Benefit Certificate — Apportionment of Benefit — Change of Beneficiaries by Will — Identification of Certificate — Sufficiency — Insurance Act, R. S. O. (1897) c. 203, s. 160.

KELLY, J., *held*, that a reference in a will to "my Home Circle policy for one thousand dollars" was a sufficient identification of the policy under sec. 160 of the Ontario Insurance Act.

Re Cochrane, 16 O. L. R. 328, 11 O. W. R. 956, referred to.

Application by the executor of the will of the late Catharine A. M. Watson, for an order determining the disposition to be made of certain insurance moneys.

James Fraser, for the executor.

J. E. Jones, for the Order of Canadian Home Circles.

F. W. Harcourt, K.C., for the infants.

HON. MR. JUSTICE KELLY:—On February 13th, 1893, the Order of Canadian Home Circles issued a beneficiary certificate to Catharine Ann Minerva Watson, for \$1,000 made payable on her death, \$500 to her husband Daniel Webster Watson, and \$500 to her son Richard J. T. Watson.

On December 30th, 1911, Catharine A. M. Watson made her will, and she died on January 5th, 1912. The will contains this provision: "My Home Circle policy for one thousand dollars to be divided as follows: to my daughter Margaret Minerva Watson, five hundred dollars; the balance of five hundred dollars in equal shares to my husband Daniel Webster Watson, my son James Richard Watson and my son Daniel Ross Watson."

The question to be decided is: Does the will alter the apportionment of the moneys represented by the certificate, or alter or vary the certificate as to beneficiaries?