

*Hochester v. De la Tour*, 2 E. & B. 678; and *Frost v. Knight*, L.R. 7, Ex. 111, and an enquiry was directed as to damages, the measure of which was declared to be the value of the plaintiff's possible life estate in the property in question which she would be entitled to in the event of her surviving her husband. The plaintiff did not press for relief as against the land itself, though, had she done so, Kay, L.J., was of opinion that the court might have made a declaratory judgment in her favour. Such a judgment, it would seem, might be enforced after the death of the husband, as against volunteers, or even purchasers for value with notice, claiming under him.

PROBATE.—UNATTESTED TESTAMENTARY DOCUMENTS—WILL, INCORPORATION OF OTHER DOCUMENTS BY REFERENCE.

*In re Garnett*, (1894) P. 90, an application was made for probate of certain documents referred to in a duly attested paper. This paper was in the following terms: "The enclosed papers Nos. 1, 2, 3, 4, 5, 6, were signed by Robert Garnett, the testator, in the joint presence of us, who thereupon signed our names in his and each others' presence." The witnesses, however, testified that the documents Nos. 1 to 6 referred to in the memorandum, and which were found sealed up with it on the testator's death, were not, in fact, signed by him in their presence, nor did they see the testator sign anything but the paper above set out, but the testator, at the time of its execution, told them his will was in the drawer of the table at which he was sitting. Barnes, J., held that the documents were not sufficiently incorporated in the attested paper, and that as it was, without the others, inoperative, probate of all the documents was refused.

PROBATE.—MISDESCRIPTION OF EXECUTOR—MISNOMER—EXTRINSIC EVIDENCE TO CORRECT MISNOMER.

*In re Chappell*, (1894) P. 98, a testator had appointed "Robert Taylor, of Waverley Hill, in the parish of Bilton, bootmaker," his executor. There was, in fact, no one of that name living at Waverley Hill, but there was a "James Alfred Taylor," a bootmaker, living there, and one Robert Bilton Taylor, his brother, also a bootmaker, lived at Harrham, in the same parish; and it was held by Sir F. Jeune that extrinsic evidence was admissible