every state except Louisiana. The English law, therefore, relating to the execution and probate of wills as administered in the Ecclesiastical Courts prior to the last quarter of the last century, (subject to certain statutory modifications suitable to the times and the men) governs similiar subjects throughout the Union; and the old country precedents, decisions and rules have authority and force in the special courts of the Republic having a like jurisdiction, be they Probate Courts, Orphans Courts or Surrogate Courts.

According to Mr. Proffatt, man by nature has no right to interfere in the disposition of his property after he shuffles off this mortal coil; in the golden age what was left went all to his family, he who "heaped together a little pile" being deemed to be only a tenant for life. This, by the way, is well brought out in the Gentoo Code; here the old Sanscrit legislator in shewing who is to inherit proceeds with great ease through the most complex relations, and threads the degrees of affinity with as much dexterity as one of his nation's jugglers shews in keeping up half-a-dozen balls at once; he winds up by declaring that "if there be no grandfather's grandfather's father's brother's grandson, the property goes to the grandfather's grandfather's grandfather's daughter's son: if there be but one grandfather's grandfather's grandfather's daughter's son he shall obtain it all: if there are several grandfather's grandfather's grandfather's daughter's sons, they shall all receive equal shares." Shades of the commoners of Charles II, who drafted the Statute of Distributions, what think ye of this! What bunglers were ye! What mere journeymen legislators! How incomplete was your work! How limited must have been your notions of relationships and kinships!

To return, however, to our text. Our author traces the history of wills from the days of the Normans, through the times of the Danes, (King Kanute made a will) and the Anglo-Saxons, (extracts are given from the will of Alfred, who had some doubts as to whether his money amounted to £200 or not) down to the present age, in a graphic, easy and interesting manner, *calamo currente*.

Nuncupative wills are still permitted in the Republic in the case of soldiers in actual military service, or mariners and seamen at sea, and in some states, of persons *in extremis*. Julius Cæsar first allowed the military testament to soldiers, but ever since the days of Justinian it has been confined to those engaged on an expedition; sailors, too, must be actually serving on shipboard to enjoy this privilege. In New York it has been held, that a sailor employed on the Mississippi is not within the statute allowing these wills: *Re Givins will*, 1 Quck. 44, so we feel rather inclined to speculate how it would be under our own 36 Vict. cap. 20, where it speaks, "if any mariner or seamen being *at sea*." Would ploughing our beautiful inland lakes be considered *being at sea*? A cook on a steamship is within the act (4 Brad. 154).

There was a time, now happily for the lawyers gone by in most places, when Lord Hardwicke could truly say, "there is nothing that requires so little solemnity as the making of a will of personal estate; there is scarcely any paper writing which will not be admitted as such:" *Ross* v. *Ewar*, 3 Atk. 156. In the present day the law insists upon certain solemnities in the execution of every will to properly evidence the testator's act and intention, and without them the will is absolutely void. Still in some of the states (California for instance) a holographic will is valid without any formalities; for example the following document was held perfectly good: