

commence proceedings for the administration of Thomas Watson's estate with a view to the recovery of what is due to her thereupon: see *Re Dowse*, *Dowse v. Glass*, 50 L. J. Ch. 285; also *Re Horlock*, *Calhoun v. Smith*, [1895] 1 Ch. 516.

There is nothing to shew that Richard Watson ever assented to the legacy to Frances Josephine, and his assent would be necessary to entitle her to sue, and perhaps, therefore, to constitute the legacy a debt due by him.

The judgment will, therefore, be, as above, in favour of Frances Josephine Watson, with costs to all parties out of the estate.

I have referred also to the following authorities: Story's *Eq. Jur.*, 2nd Eng. ed., sec. 1122; Brett's *L. C. in Mod. Eq.*, p. 322; *Plumbett v. Lewis*, 3 Hare 316; *Crichton v. Crichton*, [1896] 1 Ch. 870; *Meinertzager v. Walters*, L. R. 7 Ch. 670; *Deeks v. Strutt*, 5 T. R. 690; *Matthews v. Matthews*, 2 Ves. Sen. 635; *Williams on Executors*, 9th ed., p. 1162; *Cole v. Cole*, 5 O. S. 748; *Roper on Legacies*, 2nd Am. from 4th Eng. ed., p. 1028.

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