yet "no declaration however explicit and earnest of the testator's wish that the will should continue in force after marriage will prevent revocation." Surely another exception should be inserted in this section allowing the validity of the will, or part of the will, made in favor of the intended husband or wife?

Under the law as it stands now where either of the twain made one flesh has any of this world's goods wherewith to endow the other, a solicitor should be in attendance at the wedding with his pen, ink and paper, and a will, or wills, should be drawn up, signed, published, declared and duly witnessed, before the happy couple leave the church, or even the minister's presence. Delays are dangerous, so it is not safe to wait until after the breakfast or even to kiss the bride.

Warter v. *Warter*, 15 Pro. Div. 152, is an example of how this section may work the ruin of one's hopes and wishes. Colonel DeGrey Warter, R.A., married Mrs. Taylor, in England, on February 3rd, 1880; on the sixth of the same month the Colonel executed a will by which he bequeathed all his property, real and personal, to the lady absolutely, whom he described as "my reputed wife." In the following year the parties went through a second form of marriage. The Colonel died in March, 1889, and when it came before him, the President of the Probate Division, being of the opinion that the marriage of February, 1880, was invalid, held that the will was revoked by the valid marriage of 1881. (See p. 486.)

There is also danger in and from this section in another direction. Although a will made before marriage is by law revoked by marriage, still there is little or no difficulty in obtaining probate of such a will in the Surrogate Courts. Neither the statute nor the rules require any evidence to be adduced to show the judge that the will propounded has not been annulled in this way; and where the testator is unknown to the judge or the solicitor, probate may, without hesitation be granted where it should not be. And what confusion and wrong may result can readily be imagined!

Should not the judges make rules to meet this point and require evidence as to marriage or no marriage, and the date of any marriage, before granting probate or letters with will annexed?

We feel sure that these two difficulties have but to be pointed out to the proper authorities (and of course these all study the pages of the LAW JOURNAL) to be at once remedied.

R.

COMMENTS ON CURRENT ENGLISH DECISIONS.

The Law Reports for September comprise 25 Q.B.D., pp. 325-420; 15 P. D., pp. 149-165; and 44 Chy.D., pp. 501-718.

MARITIME LAW—ACTION IN REM FOR WAGES EARNED IN PORT.

The Queen v. *Judge of London Court*, 25 Q.B.D., 339, was an application for a mandamus to the judge of an Admiralty Court to hear and determine an action; and the legal question involved was whether the mate of a vessel had, or