

she, or they had actually predeceased me without issue, and are hereby declared to be debarred therefrom accordingly, any law or practice to the contrary notwithstanding."

*Held*, in an administration suit by one of the legatees against the executors, on the application of other legatees, made parties in the master's office, that an enquiry might properly be directed whether any of the legatees had forfeited his or her share under the above provision.

The original decree not containing such a clause of enquiry, was amended in that respect on motion, after the master's report.

*Miller v. McNaughton*, 545.

(SETTING ASIDE.)

4. The validity of a will established, notwithstanding witnesses swore that the testator was not in a fit state to make a will when the same was executed; the evidence of the medical attendants and the surrounding circumstances tending to shew that the testator was of sufficiently sane and disposing mind to understand the meaning and effect of the devises in his will.

*Menzies v. White*, 574.

WRITTEN INSTRUMENT.

See "Parol Evidence."