testificandum. The language of the statute which authorizes me to grant a *habeas corpus ad testificandum*, in order to assist in any inquiry in any court of record, is quite large enough to enable me in this case to issue the writ, as the coroner's court is a court of record.* The affidavit, however, at present before the court, is defective in not stating that the prisoner is advised and believes that it is necessary to tender himself as a witness at the inquest. If this defect be supplied by another sufficient affidavit, I shall issue a *habeas corpus*, under which the prisoner will be legally brought forward at the inquest before the coroner.

A supplementary affidavit was, accordingly, made by the applicant's attorney, stating that he was advised and believed that the presence of the said Patrick Reardon would be necessary at the coroner's inquest on the body of said Kate Pyne, to be held on October 6, inasmuch as it was intended to tender the said Patrick Reardon as a witness, and to examine him in relation to said inquest.

And, thereupon, a writ of *habeas corpus* was issued, directed to the sheriff of the city of Dublin, and to the Governor of Richmond Bridewell, commanding as follows:—"That you have before N. C. White, gentleman, one of the coroners, on Monday, the 6th day of October instant, at the place known as and called the Morgue, in, &c., the body of Patrick Reardon, being committed and detained in, &c., together with the day and cause of his being taken and detained, by whatsoever name he may be called therein, in order and so that he may be then and there in attendance before the said coroner, at, upon, and during the taking of a certain inquest and inquisition holden by the said coroner at the time and place aforesaid, touching the death of one Kate Pyne, and in order and so that he may be then and there examined as a witness, at and upon the taking of the inquest and inquisition aforesaid, and so from day to day, until the taking of the said inquest and inquisition shall have concluded. And, when the taking of the said inquest and inquisition shall have concluded, then that you take him back without delay to said gaol, under your custody, and cause him to be detained therein, under safe custody, until he shall be from thence discharged by due course of law."

* See 1 & 2 Ph. & M. c. 13, s. 5; 2 Hawk., P. C., coroner b., 2, c. 9, s, 31; 2 Hale P. C. 65; *Garnett* v. *Ferrand*, 6 B. & C. 611, 9 D & R. 657. So, in *Thomas* v. *Chirton*, 31 L. J. Q. B. 140, 2 B. & S. 478, Crompton, J., observes, "My Lord is coroner of England, and I think that every coroner is a judge of a court of record; it shows what a high office he holds, and what high functions he has." And further, as to the dignity of coroner see 2 Inst. 31, 173; and that the Chief Justice of the Court of Queen's Bench is Supreme Coroner, see *R.* v. *Js. of Gloucestershire*, 7 E. & B. 805, 29 L. T., 180. As to where a *habeas corpus ad test.* lies, under 44 Geo. III., c. 102, see also, *Re Galwey*, 19 L. T. N. S. 262.—Rep.

REVIEWS.

A Treatise on the Law relating to the Execution and Revocation of Wills and to Testamentary Capacity. By Richard Thomas Walkem, of Osgoode Hall, Barrister-at-Law. Toronto: Willing and Williamson, 1873.

The Wills Act of 1873 was not passed before the necessity for some legislation on the subject was felt. The law had been for many years in an unsatisfactory position, not only in many particulars affecting the execution and revocation of wills and testamentary capacity, but from the fact that much of the law on the subject, being contained in Imperial Acts, was inaccessible to laymen generally, as well as to many of the profession in the rural districts. A somewhat similar measure, based upon the English Act, was, we believe, prepared by the late Chancellor Vankoughnet when in Parliament, and was understood to have been revised at his instance by Sir James Macaulay and Judge Gowan, but for some reason it never came to anything. There seemed to have been some feeling at that time that it might be dangerous in a country like this to impose rigid rules with regard to the execution of wills, which were commonly drawn not by lawyers, but by laymen throughout the country. Whatever weight there may have been in this objection, it can scarcely be doubted that the time has come for putting the law upon a proper footing and assimilating it in many respects to the Imperial Acts. One great advantage is, that we shall now get the benefit of the light which has been thrown upon similar provisions in England by numerous decided cases.

The public is indebted to Mr. Meredith for the introduction of the Act which came into force here on the 1st January last. His object was in the first place to do away with the unsatisfactory state of things already alluded to; and, in the next place, to introduce into our law those amendments made by the Imperial Act, 1 Vict. cap. 26, which had not already been intro-