but if she married, to quit possession: all his debts and legacies to be paid out of his personal estate and W. Close. To his son A. 20*l.* and H. Close: to his children B., C. and D. the rest o his wordly goods: it was held by Sir W. P. Wood, V.-C., that the real estate was included in the gift of "worldly goods."

"Personal estates," held sufficient upon the context to pass realty.

Even the expression "personal estates," or "personal estate and effects" (*l*), will carry realty if the testator has clearly shown his intention that it shall do so. As in *Doe* d. *Tofield* v. *Tofield* (*m*), where, after some pecuniary bequests and a particular devise o realty, the testator proceeded to give to his wife all his stock, &c ready money, &c., "and personal estates whatsoever and wheres ever, subject nevertheless to the above legacies," during widowhood but if she married she was to resign "all my personal estates to th after-mentioned legatees in manner following": first, he gave and bequeathed to J. the house and premises in which he the testato then dwelt, with the closes adjoining, to hold in fee; "and th remaining of my personal estates" to other persons in fee. Th Court of K. B. were clearly of opinion that the wife took the re estate for her life (*n*).

Mr. Jarman observes (*o*) that the "cases in which words, in them selves clearly inapplicable to real estate, have been held to exten thereto by force of the context, are the exact converse of tho discussed in the first division of the present chapter.

'Said house, goods and chattels," omitting the word "lands" before used), did not pass lands.

"But in *Roe* d. *Walker* v. *Walker* (*p*), a testator devised to h wife a certain house, with all his *lands, goods and chattels*, wha soever and wheresoever, for her life; and if his aforesaid wi should die before his sons H. and R. came to the age of fifte then that his *house, lands, goods and chattels*, that is to say, t rents arising from the same, should be employed in bringi them up, until the age of fifteen. The testator then declared h will to be, that his aforesaid *house, goods and chattels*, equa should be divided between all his sons and daughters that sho be living at that time, share and share alike. It was held, th under the last devise, the lands did not pass.

Remark on *Doe* v. *White*, *Den* v. *Trout*, and *Roe* v. *Walker*.

"It will be observed that in *Doe* d. *Chilcott* v. *White*, and

(*l*) In "personal estate and property" or "personal property, estate and effects," the word "personal" will generally override the whole, ante, p. 999.

(*m*) 11 East, 246. See also *Cadman* v. *Cadman*, L. R., 13 Eq. 470; *Re Smalley*, 49 L. T. 662; *Re Wase* 95 L. T. 758.

(*n*) Compare *Re Andrew's Estate*, a p. 1015.

(*o*) First ed. p. 689.

(*p*) 3 B. & P. 375. Cf. *Lethbrid Kirkman*, 25 L. J. Q. B. 89, 2 Jur. 372.