

above." The effect of the obliteration, if it had stood alone, was not considered, as the words below the codicil were held to be words declaring an intention to revoke within the 20th section of the Wills Act. "If a testament was in the custody of the testator, and upon his death it is found among his repositories mutilated or defaced, the testator himself is to be presumed to have done the act; and it has already appeared that the law further presumes that he did it *animo revocandi*." That proposition, laid down in Mr. Justice Williams' standard work on Executors, 8th ed., vol. 1, p. 160, received the sanction of Lord Penzance in *Bell v. Fothergill*, 23 L.T., Rep. N.S. 323, L. Rep. 2 P. & D., 148, where the testator appears to have repented of his revocation of the will, and to have gummed on the signature which he had previously cut off. His lordship held that the will had been revoked by the cutting, and that the subsequent gumming on was not sufficient to revive it.—*Law Times*.

CURIOUS WILLS.—W. D. Foster, the dramatic company promoter, would have no woman present at his funeral, says the *London Standard*. If his wife survived him, he would be cremated; otherwise he would be buried in the ordinary way. One of the strangest cases occurred in France a few months ago. M. Travers, declaring the French to be "a nation of dastards and fools," left his fortune to the poor of London, and further ordered that his body should be launched into the sea a mile from the English coast. An attempt was made to declare this unpatriotic Frenchman insane, but the Court of Appeals upheld the will.

Frenchmen always have been more inclined to frivolity than we are in the disposal of their estates. One bright specimen actually provided that a new cooking recipe should be pasted on his tomb each day. There was more force, however, in the frivolity of the French lawyer who left \$10,000 to a local mad-house, declaring that it was simply an act of restitution to his clients. For sheer levity no will of the last two years compares with that of the rich American, a cousin of the Vanderbilts, who left every dollar he possessed to a girl he used to watch in the theatre. He did not even know her, and the only reason he gave for the strange freak was that her turned-up nose amused him.

Another American gentleman, Horatio G. Onderdonk, has of late enjoyed an elaborate joke at the expense of his heirs. There was a good estate and many expectant relatives; but deep was their dismay when it was found that no one could benefit under the will who did not reach an almost unattainable exaltation of life. No one could so benefit who was an idler, a sluggard, a profligate, a drunkard, or a gambler. The use of liquor and tobacco would deprive a legatee of his portion. He was also debarred from entering any bar-room or porter-house, from getting married before the age of twenty-five, or even from not having risen, breakfasted, and got ready for business by nine o'clock in the morning. We have not heard if any heir has claimed, or if the money is still unappropriated, like the letter which still lies in an American post-office, addressed to "A Christian, Chicago."