
Province of Ontario.

HIGH COURT OF JUSTICE.

Riddell, J.—Trial.] **REEVES v. REEVES.** [May 13.

Will—Devise to "my wife" naming her by testator's surname, though not legally his wife.

The question at issue was as to the validity of a devise by one Frank Reeves to "my wife Jennie Reeves." One Switzer married Jennie Gordon and they lived together for several years. Switzer subsequently went to Detroit where he was granted a so-called divorce from his wife Jennie, who subsequently married Frank Reeves. The trial judge held that the divorce proceedings were illegal, and consequently that Jennie Reeves was not the lawful wife of the testator.

Held, that the devise of the property to "my wife Jennie Reeves" was good. The following cases were referred to: *Russel v. Lafrancois*, 8 S.C.R. 335; *Schloss v. Stiebel*, 6 Sim. 1; *Giles v. Giles*, 1 Keen 685; *In re Wagstaff* (1908) 1 Ch. 162.

Eyre, for plaintiff. *Hollis*, for defendant.

Province of Nova Scotia.

SUPREME COURT.

Full Court.] **JOHNSTON v. ROBERTSON.** [April 4.

Discharge on habeas corpus—False imprisonment—Liability of solicitor procuring imprisonment.

The plaintiff was convicted for unlawfully selling liquor to an Indian in violation of the Indian Act, before the defendant as a stipendiary magistrate, who sentenced him to fine and imprisonment absolute. He appealed to the County Court where both penalties were reduced in his absence as he was confined in jail on a conviction under another penal statute. On the hearing of the appeal the defendant acted as counsel for the prosecutor, prepared the conviction and warrant, and by appointment handed them to the sheriff who executed them. The plaintiff