land of L., and thence across the defendant's land. The defendant revoked his license, and, on the plaintiff's refusal to discontinue the watercourse, entered on L.'s land, at a spot near the boundary between it and the plaintiff's land, and obstructed the watercourse. By obstructing it on his own land, he would have done less damage to the plaintiff, but more to L., and perhaps some to the public. *Held*, that the obstruction was made in a reasonable manner; and a non-suit was ordered notwithstanding the defendant's trespass on L.'s land, L. not complaining thereof.—*Roberts* v. *Rose*, Law Rep. 1 Ex. 82.

2. A stream supplied by the drainage natural and artificial of cultivated land, and receiving the drainage of two or three houses in its passage to the river, is not a "sewer" within the Public Health Act 1848.—*The Queen* v. *Godmanchester*, Law Rep. 1 Q. B. 328.

Will.

1. It is essential to the validity of a will, that at the time of execution the testator should know and approve its contents.—*Hastelow* v. *Stobie*, Law Rep. 1 P. & D. 64.

2. If a will has been read over to a capable testatrix, and duly executed, certain words in it will not be excluded from probate because they are not in accordance with her instructions to her solicitor, nor contained in the draft will, which had been read over to and approved by her, and the solicitor who prepared the will swears that such words were inserted without her instructions and by his inadvertence.—*Guardhouse* v. *Blackburn*, Law Rep. 1 P. & D. 109.

3. A testator having made five codicils to his will, the fourth of which revoked the three preceding, and the fifth confirmed the will and four codicils, the ambiguity was explained by parol evidence, which showed that testator intended in the fifth codicil to confirm the will and fourth codicil only, and probate was granted of the will and fourth and fifth codicils only.—*Goods of Thomson*, Law Rep. 1 P. & D. 8.

4. A reference in a codicil to a document as a will, which is not of a testamentary character, is not alone sufficient to entitle such document to probate. A codicil revoking any testamentary papers is entitled to probate, though it does not dispose of any property, and there is no evidence of any previous testamentary papers.—*Goods of Hubbard*, Law Rep. 1 P. & D. 53.

5. A testator, by a paper purporting to be a codicil to his will, bequeathed the balance at his banker's to his wife. No will was found, though one had been in the testator's possession previous to the date of the codicil. *Held*, that the codicil was independent of the will, and should be admitted to probate till the will was found.—*Goods of Greig*, Law Rep. 1 P. & D. 72.

6. A will commencing, "In case of any fatal accident happening to me, being about to travel by railway," is not contingent on the event of the testator's death on such journey.—*Goods of Dobson*, Law Rep. 1 P. & D. 88.

7. A person in possession of land, without other title, has a devisable interest; and the heir of his devisee can maintain ejectment against one who has entered on the land, and cannot show title or possession prior to the testator.—*Asher* v. *Whitlock*, Law Rep. 1 Q. B. 1.

8. By a will before the Wills Act, A., who had purchased two undivided fourth parts of certain lands previously held in quarters, devised to M., without words of limitation, "all my undivided quarter of fields," describing them as in lease, for three lives. He had before devised his other "undivided quarter" to L. for life; and, on her death, to J., without words of limitation. *Held*, the devise to M. carried the fee.—*Manning* v. *Taylor*, Law Rep. 1 Ex. 235.

9. A testator who owned two manufactories, one on the west, and another, worth half as much, on the east side of H. Street, which had been for the thirty years previous to his death jointly occupied and used by his tenants at a single rent for the same manufacture, but which with certain alterations could be used separately, devised his "messuages, manufactory, &c., on the west side of H. Street, in the occupation of R. and A. and others, together with all rights and appurtenances to them belonging," to A. and W. R. and A. then occupied both manufactories. *Held*, that the manufactory on the east side did not pass under the devise.—*Smith* v. *Ridgway*, Law Rep. 1 Ex. 46.

10. A testatrix owned two adjoining houses and premises: one she occupied herself, in the yard belonging to which was a pump: the other had been for some time occupied by her tenant A.; and he, with her knowledge, had been accustomed to draw water from the pump, for the use of his house, there being no water supply on his premises. Under a devise of this house, "as now in the occupation of A.," the right to use the pump did not pass.—*Polden* v. *Bastard*, Law Rep. 1 Q. B. 156.

11. If, of two papers, each professing to be a last will, the later is only partly inconsistent