aberration. But we have no hesitation in saying that *a jury would be likely always to regard it in this light*, in the case of an unnatural or unofficious testament. *And we are not prepared to say it should not be so.*" (What! that a jury should find against evidence?) "The common sense instincts of a jury are very likely to lead them right in cases of this character. The man who has no more respect for himself or for Christian burial, than this will indicates, has no just claim to the regard or respect of others." With great deference for the learned writer, I must differ from him. How can the law refuse to execute a testator's will, so far as it is not unlawful or abhorrent to morals or contrary to public policy, unless the testator be proved to have been of unsound mind? Suppose, in addition to proof of his clear intellect, the objects of his bounty were unobjectionable or praiseworthy; suppose he should bequeath his estate to the American Bible Society, for instance; shall we defeat his will because he also gives his bones to the New York Medical College? Refuse to execute that portion of his will, perhaps, as against good morals and public policy, but don't pluck up the wheat with the tares. The disposition of this testator's remains was undoubtedly repugnant to men's finer feelings, but I must confess I see nothing improper in a great scientific man, like Agassiz, for example, bequeathing his skeleton to a university which he has done much to adorn. If he should die at sea it would be a much more sensible use of his bones than to give them to the fishes, although the latter might well consider such an event of poetic justice on one who has reduced so many of their tribe to skeletons.

When a man comes to me to have his will drawn, and proposes to make his bounty to his wife dependent on her "remaining his widow," I always feel an ardent desire to kick or otherwise evilly entreat that man. I am generally able to convert such a heathen. If I fail, my omission to act on my aforesaid muscular impulse is wholly owing to the restraining power of divine grace. A good thing for such men to remember is the golden rule: "Whatsoever ye would that others should do unto you, do ye even so unto them." Would they like to have their rich wives leave such wills behind them? The welkin would ring with their howls. That men can go out of life leaving such testamentary directions is an evidence of their desire to perpetuate their jealousy, as well as their memory and wealth. Of such it cannot be said,

> "The good men do, lives after them;
> The bad is oft interred with their bones."

Perhaps, quite probably, the very money so grudgingly bestowed came from the wife; indeed, it may have been given her by a former husband; or the wife may have earned it in teaching music or keeping a boarding house, and weekly handed it over to a mean-spirited wretch of a husband, who never did an honest hour's work in his life, but having lived on his wife all his days, is bound that no other man shall ever have the like temptation. I have noticed that such men generally contrive to get their wives to sign off all their dower right in their life-time. So there is no inducement left for the poor creatures to be extravagant. Some communities have had the good sense and magnanimity to declare such devises void, as being in restraint of marriage, but New York has not arrived at that pitch of moral elevation yet. Our state has been the pioneer in all other reforms concerning the rights of married women, and now wives among us enjoy pecuniary privileges in a larger degree than in any other state, I believe, and in a larger degree than their husbands. Why then do we yet retain this heathenish concession to the jealousy of hateful husbands? In a community where the right of a wife to hold separate property is not recognized, there might be some pretext for sanctioning the practice, on the hackneyed argument that a second husband might waste the savings of the first; but where she is constituted equal to her husband in respect to rights of property, this reasoning fails. What right has any man to adjudge that his widow shall not marry again, or inflict a pecuniary penalty on her so doing? All the pious expressions that the language is capable of, cannot cover up the wickedness of such a provision. It is really blasphemous to invoke the name of God in favor of such a testament. God does not bless jealousy, envy, hatred, enforced celibacy. The spirit of such testamentary dispositions is well ridiculed in an old quatrain which I have carried in my memory for some years:

> "In the name of God, amen:
> My feather-bed to my wife, Jen:
> Also my carpenter's saw and hammer;
> Until she marries; then, God damn her!"

Only one degree less mean is the habit of wreaking posthumous vengeance on a disobedient child by "cutting him off with a shilling." One may possibly be excused for a hasty act of this sort, but when the deliberate judgment approves it and lets it stand, it argues a screw loose in the testator's moral machinery. While he is writing or reading the good words at the commencement of his will, why does he not recall sundry expressions of scripture: "Let not the sun go down upon my wrath;" "He that hath no rule over his own spirit, is like a city that is broken down and without walls;" "Vengeance is mine, I will repay, saith the Lord?" Undoubtedly cases occur where children prove permanently unworthy of parental benefaction. But I am speaking of the common cases, as, for example, where a daughter marries a man whom her father dislikes. Such a one came to me once to have his will drawn, or rather a man who proposed to cut his son off because he had married a woman whom the father did not approve. The old man was a plain farmer, who, when I asked his reason