

adopt the statement of Parke, B., in *Turner v. Mason*. "The contract between the master and a domestic servant is a contract to serve for a year, the service to be determined by a month's warning, or by payment of a month's wages," as expressing the custom recognized by the Court as governing such contracts, and the attempt to establish an exception to this was held to have been unsustained by evidence.

PROBATE—DEATH OF ONE OF TWO TESTATORS—JOINT WILL.

In the goods of Piazza—Smyth (1898) P. 7. This was an application to obtain a grant of probate of a joint will of two persons, only one of whom was dead. The Court granted probate of so much of the instrument as became operative on the death of the decedent.

ADMINISTRATION—WILL ANNEXED.

In the goods of Butler (1898) P. 9, Jeune, P.P.D., held that where a limited administration is applied for as to part of the estate of a deceased testator (in this case certain leaseholds) the will must be annexed to the grant.

ADMINISTRATION—NOTICE—GRANT TO ATTORNEY.

In the goods of Barton (1898) P. 11, administration had been granted to the attorney of one of two next of kin, both of whom resided out of the jurisdiction, the administrator having died, upon the application of the other next of kin, and on proof of notice to the next of kin for whose benefit the administration had been granted, and no objection being offered by him, the application was granted.

PROBATE—RENUNCIATION—RETRACTION OF RENUNCIATION—PROBATE ACT, 1857, 20 & 21 Vict. c. 77, s. 79. (R.S.O., 1897 c. 59 s. 65).

In the goods of Stiles (1898) P. 12, Jeune, P.P.D., decided that the effect of 20 & 21 Vict. c. 77, s. 79 (see R.S.O. 1897 c. 59 s. 65) is not to prevent one of several executors who has renounced from subsequently retracting his renunciation; and one of two executors after taking probate, having absconded, the Court allowed his co-executor who had renounced to retract his renunciation and take probate. The learned judge held that the effect of the section above referred to is merely to dispense with the necessity of afterwards citing an executor who has renounced.