of £8 per share. The company having been ordered to be wound up, the liquidators claimed to recover from the directors damages for sanctioning the transfer to P., and also repayment of the commission paid to the broker as being *ultra vires*. Upon the evidence it was held by Kay, J., that the directors had duly exercised their judgment in approving of the transfer of the shares to P., and were not liable for any damages resulting therefrom, no dishonest dealing being charged; but the payment of the commission he held to be *ultra vires*, and ordered it to be refunded with interest.

WILL—CONSTRUCTION—RESIDUE—INTESTACY—GIFT OF RESIDUE "TO EXECUTORS OF EXECUTORS OR ADMINISTRATORS OF M. AND J."—GIFT OF RESIDUE BY J. TO TESTATOR.

In re Valdez, 40 Chy. D. 159, presents a somewhat curious state of facts. One Valdez, who died 5th June, 1887, by his will dated 17th November, 1851, bequeathed the residue of his estate to Mary Hunter and Jemima Hunter, whom he appointed his executors, and in case of their decease in his lifetime then he bequeathed what he had bequeathed to them to their executors or administrators. Jemima Hunter died in the lifetime of Valdez on the 21st November, 1855, and by her will she bequeathed her residuary estate to Valdez. Mary Hunter died 15th July, 1887, and the petitioner as her administrator duly proved the will of Valdez; and the question was whether or not Valdez was to be considered to have died testate or intestate as regards the moiety of the residue of his estate which he had purported to bequeath to Jemima Hunter, and which under the residuary devise in her will would return to him. Kay, J., held that as to this moiety he must, in the events which had happened, be deemed to have died intestate, and that as the property was not required to pay the debts of Jemima Hunter, it was equivalent to a gift to her executors in trust for Valdez himself.

MARRIED WOMAN—CHOSE IN ACTION—TITLE OF HUSBAND—PROBATE OF INVALID WILL OF MARRIED WOMAN—ACTION BY HUSBAND AGAINST EXECUTOR OF HIS WIFE.

Smart v. *Trauter*, 40 Chy. D. 165, is a case which shows that the old practice of turning a suitor out of Court because he has mistaken his forum is even yet not quite a thing of the past. In this case the action was brought by a widower against the executor of his deceased wife, claiming to be entitled to her *choses in action* on the ground that his wife had no separate property and no testamentary capacity by assent of her husband or otherwise; but it was held by Kay, J., that the husband suing the executor in the Chancery Division must treat the will as valid, and that in order to establish his right to the *choses in action* he must take proceedings in the Probate Division to recall the probate, and obtain letters of administration to his deceased wife.