

Revocation of probate or administration—*Continued.*

- Testator still alive, 324
- When refused, 325
- Protection of representatives upon revocation of grant, 325, 326
- Ancillary grants of probate or administration, 335
- Under colonial Probates Act, 339
- Procedure for re-sealing grants in Ontario, 344

Revocation of will, 90

- By later inconsistent will, 12
- Last will, 12
- Subsequent will not necessarily a, 13
- By document which is not a will, 18
- Every will revocable, 90
- Modes of enumerated, 90
- Marriage as a, 90, 91
- By burning, tearing, etc., 90, 92
- Testator must intend to revoke, 92
- Destruction by other than testator, 93
 - Must be in presence of and by direction of testator, 93
- Partial revocation, 93, 99
- Destruction, presumption of by testator himself, 94, 98
- Not effected, where done under error of fact or law as to validity of another will, 95
- See Dependent Relative Revocation.
- Codicil not revoked by, 96
- None, from words, This is my last will, 98
- By express declaration, though mistaken in later will, 95
- Later inconsistent will as a, 98
- Later will as a, when disposing of whole estate, 98, 99
- Partial inconsistency of later will a partial, 99
- Destruction of later partly inconsistent will, effect of on earlier will, 99
- Parol evidence of intention of testator, 100
- Of appointment, 100
- Document revoking will, need not be a will, 100
- Destruction of a will with intention of reviving earlier will, 102
- Jury refused to try question of, 302

Re-sealing grants—

- Colonial Probates Act, 1892, 335, 336
- To what countries applicable, 335
- Effect of re-sealing, 335
- Rules made under Colonial Probates Act, 339
- Forms under Act, 341
- Practice in Ontario upon re-sealing, 344
- Statutes governing in Manitoba, 344
- Inventories and valuation needed, 346
- Original grant must be from Court of competent jurisdiction, 346
- Re-sealing Scotch confirmation, 347
- What may be re-sealed, 347
- Payment of fees, 345, 347
- Security upon, of administration, 345, 348
- Suggestions of Inspector of Legal Offices, 348
- Practical directions, 348
- See Ancillary Grants.

Rules of Surrogate Court, Ontario—

- Judge's order substituted for citation, 137, 138, 209
- For subpoena, 209