

age of Mrs. Abercrombie because of her infirm health, and this is excepted to by the complainants as insufficient, her precarious condition, as they insist, requiring a much larger addition to her age. According to a table, incorporated in the very elaborate and learned opinion of the late Chancellor, in *Williams's Case*, 3 *Bland*, 238, the expectation of life of a person fifty-three years of age, which was the age of Mrs. Abercrombie at the period of the sale, is within a fraction of fifteen years, and the addition of five years to her age on account of ill health, reduces the expectation to a little over thirteen years. The chancery rule is supposed to have been constructed upon this table, and the question is, whether the Auditor has made a sufficiently large addition ?

In the very nature of things it is absolutely impossible to establish a fixed standard upon a subject like this. Every case must depend upon its own peculiar circumstances, and with all the lights which science can shed upon it, we can only hope to approximate to that which the future alone will reveal. Evidence has been taken in this case, which certainly does show that the *cestui que vie* is in infirm health, but we have not the benefit of the opinions of her physician with regard to the probable duration of her life. Even with the aid of such an opinion, we might wander far from the true mark, but without it our conjectures are much more likely to lead us astray. Certain it is, as appears by some of the depositions, that the disease of Mrs. Abercrombie, though alarming, and though, judging from her frail condition, her death is an event which cannot long be deferred, is not likely, if we may judge from the past, to bring her existence to a very speedy conclusion. Her constitution seems to have resisted it for many years, and there is nothing in the evidence from which it can be inferred that it is now so broken down as to be incapable of yet further resistance. The hope can scarcely be indulged that she will live beyond or perhaps attain the age usually allotted to human existence, but the presence of the disorder which forbids this hope, may probably furnish some security that her life will not be brought to a very speedy termination, as it