

for the Chancery rule. This therefore is another element in which it must be considered as materially erroneous.

It appears, that the present value of a widow's dower was calculated for the Chancery rule at compound interest; because in England the present value of such estates, it is said, is calculated upon the ground of compound interest. But then it is laid down in an English adjudication, that as the computation of compound interest proceeds upon the idea, that the interest is paid upon the exact day and immediately laid out, which is impossible, it is sufficient to compute compound interest at four *per cent.* or at something less than the legal rate of interest. (z) The calculations for the Chancery rule have, however, been made upon the ground of compound interest at the full legal rate of *six per cent.*; which, if wrong in England, where there are so many ways of making immediate and safe investments of money, must be much more so here. This, therefore, is a third element in which that rule is substantially erroneous.

It has been shewn by reference to good authority, that the observations of the rate of mortality at Breslaw, from which *Dr. Halley* constructed his tables of the probability, and of the expectation of human life, have been found to be so entirely inaccurate, that they have never, in any case, been resorted to for many years past. And it has also, in like manner, been shewn, that the observations of the waste of life in London, from which *Mr. Simpson* formed his tables, were, in so many respects, erroneous, that they have been considered as very unsafe guides in calculating the value of human life even in London itself; and as totally unfit for use, in making an estimate of the value of life any where else. But it appears, that all the calculations for the Chancery rule were taken from the observations of London, and the tables of *Mr. Simpson* founded on those observations. This therefore is a fourth element in which that rule is essentially wrong.

It is well known, that in our country early marriages are common; and it appears from the observations of *Dr. Grenville*, that even in England, of eight hundred and seventy-six females, thirty of them had been married at or before fifteen years of age. Therefore as it may fairly be presumed, that there must be a great number of instances of widows under thirty years of age; and as according to *Finlaison's* tables, the expectation of female life, between

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(z) *Nightingale v. Lawson*, 1 Bro. C. C. 448.