to look to the body of the bill would not be affected by such alteration, if he did not know the alteration was improper. A *fortiori*, his right to look to the body of the bill would remain the same when he did not know the marginal figure had undergone any alteration at all. Thus I arrive at the conclusion that a man who gives his acceptance in blank holds out the person to whom it is intrusted as clothed with ostensible authority to fill in the bill as he pleases within the limits of the stamp, and that no alteration (even if it be fraudulent and unauthorized) of the marginal figure vitiates the bill as a bill for the full amount inserted in the body, when the bill reaches the hands of a holder who is unaware that the marginal index has been improperly altered. For these reasons the plaintiff in this case would seem to be entitled to succeed, and judgment must be entered for him with costs.

Judgment for the plaintiff.

RECENT SUPREME COURT DECISIONS.

Will—Insanity—Error.—This was an appeal from the Court of Queen's Bench, P.Q. The action was originally brought in the Superior Court by Pierre Lefrançois' executor under the will of the late Wm. Russell, of Quebec, against Austin, curator to the estate of Russell during the lunacy of the latter, to compel Austin to hand over the estate to the executor. After preliminary proceedings had been taken, Elizabeth Russell, the appellant, moved to intervene and have Russell's last will set aside, on the ground that it had been executed under pressure by Dame Julie Morin, Russell's wife, in whose favor the will was made, while the testator was of unsound mind. The intervening party claimed and proved that Morin was not the lawful wife of Russell, having another husband living at the time the second marriage was contracted. Russell, who was a master pilot, died in 1881, having made a will two years previously. His estate was valued at about $16,000. The evidence in the case was voluminous and contradictory. On the 4th October, 1878, Russell made a will by which he bequeathed $4,000 and all his household furniture and effects to his wife Julie Morin; $2,000 to his niece, Ellen Russell; $1,000 to the Rev. Father Sexton, for charitable purposes, and the remainder of his estate to his brothers, nephews and nieces in equal shares. On the 8th of the same month he made another will before the same notary, leaving $800 to his wife Julie Morin, $400 to each of his nieces, Mary and Elizabeth Russell, and $400 to his brother Patrick, with reversion to the nieces if not claimed within a year, and the remainder to Ellen Russell. On the 27th November, 1878, Russell made a will, which is the subject of the present litigation, by which he revoked his former wills, and gave $2,000 to Father Sexton, for the poor of St. Rochs, and the remainder of his property to his wife Julie Morin. On the 10th January following, Russell was interdicted as a maniac, and a curator appointed to his estate. He remained in an asylum until December, 1879, when he was released and lived until his death with his sister Ellen Russell, sister of the appellant. The Superior Court, (Tessier, J.), held that the will was valid, and this decision was affirmed by the Court of Queen's Bench.

Held, (reversing the judgment of the Q. B., Ritchie, C. J., and Strong, J., dissenting), (1) that the proper inference to be drawn from all the evidence as to the mental capacity of the testator to make the will of the 27th November, was that the testator, at the date of making said will, was of unsound mind. (2) That as it appeared that the only consideration for the testator's liberality to Julie Morin was that he supposed her to be his "beloved wife, Julie Morin," whereas she was at the time the lawful wife of another, the universal bequest to Julie Morin, was void, by reason of error and false cause. (3) That it is the duty of an appellate Court to review the conclusion arrived at by Courts whose judgments are appealed from upon a question of fact, when such judgments do not turn upon the credibility of any of the witnesses, but upon the proper inference to be drawn from all the evidence in the case.—*Russell* v. *Lefrançois*, Jan. 1883.

GENERAL NOTES.

Bradlaugh, the English agitator, having been expelled from the House of Commons, brought an action for assault against Mr. Erskine, the Serjeant-at-Arms. Mr. Justice Field has dismissed the case, holding that the claim of a member to sit in the House, from which he has been excluded by the House itself, cannot be determined by a court of law, and if the House has power to order his exclusion it must have power to enforce its order. If the Serjeant-at-Arms were not protected by that order in the use of such force as may be necessary to carry it out, the order itself would be a nullity.