angeau, the question in appeal having been determined on a mere question of law; and in such a form as not to admit of an appeal to the Privy Council at that stage of the proceedings. In fact the Court of Appeals refused to allow it, on the ground that their judgment was interlocutory and not final. The point came again before Mr. Justice Taschereau, who, on the 15th of April, 1864, gave judgment for Renaud, on the same grounds as those expressed in his former judgment, stating that the judgment of the Court of Queen's Bench having been interlocutory, and an appeal to Her Majesty in Council having been refused on that ground, the judgment was not binding on him, and that he adhered to his former judgment. From this judgment Tourangeau again appealed, when the majority of the Court in Appeal were of the opinion that, although the judgment of the Court below, as to the invalidity of the restriction in the will, was well founded, the former judgment of the same Court was binding on the parties, subject only to revision by the Queen in Council. The Court was then composed of Chief Justice Duval, and Justices Aylwin, Meredith, Drummond, and Mondelet. The Chief Justice and Judge Meredith adhered to their original opinion, and Mr. Justice Drummond coincided with them as to the nullity of the clause in the will, but all three were of opinion that the previous judgment of their Court was final, and bound them to act in accordance with it, although contrary to their own individual opinions. The judgment on the point as rendered by Mr. Justice Taschereau was accordingly again reversed. On this reversal, Judge Aylwin and Judge Mondelet adhered to their previously expressed opinions, as to the clause in the will being valid, but the latter differed from the entire Court, as in his opinion the previous judgment in appeal was merely an interlocutory judgment, and the majority of the Court as composed of Chief Justice Duval, Meredith, and Drummond, could reverse it according to their opinions on the real merits of the clause in the will.

From the judgment of the Court of Queen's Bench, rendered on the 29th September, 1865, and from the interlocutory judgment of the 10th of March, 1863, an appeal was instituted by Renaud to the Privy Council, by which tribunal both judgments were reversed and the two judgments of Mr. Taschereau confirmed, with costs in favor of Mr. Renaud.

SUPERIOR COURT IN REVIEW.

Montreal, Nov. 28, 1867.

DOUGLASS *v.* WRIGHT, and BROWN, opposant.

Insolvency — Assignee — Insolvent Act of 1864.

Held, that an assignment made by an insolvent to an official assignee not appointed as such for the district or county in which the insolvent has his place of business, is null and void.

The question raised in this case was the validity of an assignment made by an insolvent doing business in Sorel, to an official assignee appointed for the district of Montreal.

MONK, J., dissenting, was of opinion that the assignment made in the present case by Wright, an insolvent, resident in Sorel, to Mr. T. S. Brown, an official assignee for the district of Montreal, was legal and valid.— By the Act of 1864, the bankrupt could only assign to an assignee resident within the district or county where the bankrupt had his domicile, but in the amended Act of 1865, this clause had been omitted, and his Honor believed, after careful consideration, that the insolvent might assign to the official assignee of another district. Further, there was nothing in the record to show that there was an official assignee in the district of Richelieu. Apart from this, assignments similar to the present had been made in many cases, and these assignments had been followed by deeds of composition, sanctioned by the Court.

MONDELET, J. The opposant is an official assignee appointed for the district of Montreal, under Sec. 4 of the Insolvent Act of 1864. The defendant is a resident of the District of Richelieu. The moveables of the defendant have been seized at the town