The Legal News.

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The judgment of the Judicial Committee of the Privy Council in *Carter & Molson* and *Holmes & Carter* will be found in the present issue. The opinion of their lordships affirms in substance the decision of the majority of our Court of Queen's Bench. 6 Legal News, 372.

On an application recently in England for a new trial, Lord Chief Justice Coleridge and Mr. Justice Butt refused without hesitation to admit an affidavit made by some of the jury, that in giving their verdict they had misapprehended the issues before them. The Court declared that a jury cannot be allowed to impugn their own verdict. The precedent referred to by the Court was *Clarke* v. *Stevenson*, 2 W. Bl. 803. In *R.* v. *Woodfall*, 5 Burr. 2661, the "Junius" libel case, Lord Mansfield stated that though in cases of doubt as to what passed in giving the verdict, the affidavits of jurors may be read on a motion for a new trial, yet "an affidavit of a juror never can be read as to what he then thought or intended."

The case of *Sharon* v. *Hill* has been proceeding before an Examiner-in-Chancery at San Francisco, but the Examiner has found his task beset by unexpected difficulties. The female respondent, after repeatedly interrupting the proceedings by excited remarks, finally drew a pistol from her satchel and pointed it at the counsel on the other side. The Examiner then suspended the examination and reported the circumstance to the Court. Chief Justice Field, of the United States Circuit Court, held that this was contempt of Court, and it was ordered "that the marshal of the court take all such measures as may be necessary to disarm such defendant, and keep her disarmed, and under strict surveillance whilst she is attending the examination of witnesses before said examiner, and whenever attending in court, and that a deputy be detailed for that purpose."

PRIVY COUNCIL.

LONDON, July 4, 1885.

Coram LORD WATSON, SIR BARNES PEACOCK, SIR RICHARD COUCH, SIR ARTHUR HOBHOUSE.

CARTER (plff. below), Appellant, and MOLSON (contest. below), Respondent.

HOLMES et al. (intervenants below), Appellants, and CARTER (plff. below) Respondent.

Sale—Executors—Insaisissabilité—Substitution—Registration—Rights of Substitutes.

The respondent Molson hypothecated immoveable property which had formed part of his father's estate, and which he held under a deed of sale to him from two of the executors (he being one).

HELD: (*Confirming the judgment of the Court of Queen's Bench, Montreal—6 Legal News* 372) 1. *That where power was given by a will to two of the executors to sell immoveable property belonging to the estate, a sale by two of the executors to one of themselves was void.*

2. *That the effect of the sale to respondent was merely to convey the property to him as his share of his father's estate subject to the conditions of the will, by which the property and revenues were insaisissables.*

3. *That the registration of the deed of sale in which reference was made to the will, was sufficient notice to an onerous creditor of the title under which the respondent held the property hypothecated by him.*

4. *That even if this were not so, the appellant must be held bound by the knowledge which the agent to whom he confided the duty of attending to his interests possessed, that the property was held by respondent under conditions and limitations.*

5. *That dividends of shares of bank stock not identified as part of respondent's share of his father's estate, were seizable.*

6. *That substitutes, who have no interest in the revenues during the institute's lifetime, have no right to intervene in order to oppose the seizure of rents and revenues of property subject to a substitution accruing during the lifetime of the institute.*

PER CURIAM. On the 9th of February 1875, John Thorold Carter advanced $30,000 upon