

LAW STUDENTS' DEPARTMENT.

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RECENT EXAMINATIONS.

The following is the result of the recent examinations for admission and call:—

Attorneys—J. H. M. Campbell, G. G. Mills, J. Williams, C. Bitzer (without an oral on the merits), A. Ford, W. E. Macara, J. W. Curry, J. S. McBeth, H. Yale, C. Millor, A. Dawson, C. C. Going, A. H. F. Lefroy, G. M. Lee, Jas. Scott, E. N. Lewis, S. Wood, D. K. Cunningham, G. W. Baker, G. Beavers, F. H. Thompson (æq.), B. E. Sparnham, W. H. Bennett, C. E. Carbett, A. McKay.

Barristers—J. H. M. Campbell (with honours and gold medal), G. A. Watson (without oral on merits), J. S. McBeth, H. E. Crawford (æq.), J. R. Lovell, G. G. Mills, J. A. McCarthy, Chas. Millor, A. McNabb, J. Scott, C. Bitzer, W. E. Macara (æq.), S. G. McKay, J. B. O'Brian, F. H. Thompson, F. W. Kittermaster, A. Ford, J. W. Curry, E. N. Lewis, F. Case, A. R. Duncombe, N. Gilbert, W. F. Morphy.

Six of those who went up for examination as Attorneys, and seven of those who went up for call, were rejected.

The Second Intermediate Scholarships were awarded as follows:

A. Mills, P. S. Carroll, and G. Davis.

Thirty-six students presented themselves for examination in the Second Intermediate, of whom thirty-two passed. Of the thirty-two who went up in the First Intermediate only twenty passed.

EXAMINATION QUESTIONS.

A law student writes us as follows:—

"Kindly continue the publication of the questions and answers taken from the *English Bar Examination Journal*."

We are glad to find that the extracts have been found useful, and gladly continue them:

Q.—3. Explain the nature and objects of a conveyance by lease and release. To what extent did such conveyances operate under the Statute of Uses?

A.—This consisted of two deeds. By the first the releasor bargained and sold the land to the releasee for a year for a sum of money expressed to be paid at the time. By the second the releasor released the reversion to the releasee. The object was to enable an estate of freehold to be conveyed without the trouble of a feoffment, or an entry by the grantee. It operated under the Statute of Uses to this extent: that before that statute the Court of Chancery held that whenever A. bargained and sold land to B. for any estate for a pecuniary consideration, A. thereby became seised to the use of B. for such estate until a legal conveyance was made of it. The Statute of Uses then had the effect of making such a bargain and sale a legal conveyance itself. Hence by this means a legal term could be conferred without entry by the lessee, and the reversion could then be released to him. The Statute of Uses indeed elevated a bargain and sale of a freehold estate into a legal conveyance; but a subsequent statute (27 Hen. 8, c. 16), required all bargains and sales of estates of freehold to be made by deed enrolled. (Wms. R. P. Pt. I. c. 9.)

Q.—5. Explain the nature of the "reasonable and probable cause" which will prevent an action for malicious prosecution from being maintained. Is the existence of such cause a question of law or of fact?

A.—Whether the defendant had "reasonable and probable cause" for instituting the prosecution in respect of which the action is brought, is a question of opinion depending entirely on the view that may be taken by the judge of the circumstances of the case. The plaintiff must show that there was no reasonable or probable cause for the prosecution by giving evidence of facts from which the absence of such cause may be inferred; and evidence of malice on the part of the defendant will not be sufficient, because a person actuated by malice may nevertheless have a good reason for prosecution.