

REPORTS.

QUEBEC.

NOTES OF RECENT DECISIONS.

Q. B.]

[Nov. 24.]

GUY et al., Appellants, & THE CITY OF MONTREAL, Respondents.

Public street—Dedication by proprietor to the public—Prescription by open use to public.

A writing is not required to establish that property has been abandoned to the public for use as a public street; but the acts from which a dedication or abandonment can be inferred must be of a totally unequivocal character.

The fact that a street was openly used by the public without dispute for upwards of ten years as a highway, and that the corporation of the city exercised visible ownership by constructing a sidewalk thereon and filling in a swamp, more than ten years before the institution of an action, is sufficient proof of dedication by the proprietor.

BELL V. DOMINION TELEGRAPH CO.

Johnson, J.]

[Nov. 30.]

Telegraph message—Failure to deliver—Damages.

A Telegraph Company is responsible to the party to whom the message is directed, for negligence in failing to deliver a telegram. The fact that the sender did not repeat the message does not affect the rights of the person to whom the message is addressed.

GUILLAUME V. CITY OF MONTREAL.

CITY OF MONTREAL V. LAROSE.

Corporation—State of sidewalks—Responsibility of proprietor.

The Corporation of Montreal is liable for damages caused by the bad state of the public footpaths in the city, and the Corporation has a recourse en garantie for such damages against the proprietor of the premises opposite the footpath.

LAW STUDENTS' DEPARTMENT.

THE LAW SOCIETY AND ITS STUDENTS.

We refer our young friends to some information of considerable interest to them, to be found in the *resume* of the proceedings of the Benchers in Convocation (*ante*, pp. 17 &c.). The Benchers are, we are sure, desirous of lending a helping hand to the students, although their action some time since may have given rise to a somewhat different conclusion. Let it also be remembered that "Providence helps those who help themselves."

EXAMINATION QUESTIONS.

The following are some of the questions given at the Law Society Examinations, last Michaelmas Term. We shall continue the publication of these questions from time to time.

FIRST INTERMEDIATE.

Williams on Real Property.

1. A, B, C, and D were joint tenants of certain land. A conveys to E. By his will B devises to G. (1) By whom and (2) in what manner is the land now held?

2. What estates pass by the following conveyances: (1) Grant to A and his seed, (2) grant to A and the offspring of his body, (3) grant to A to have and to hold to him and his assigns forever, (4) grant to A and the heirs male of his body, (5) grant to A and his heirs forever.

3. What was the doctrine of the Court of Chancery as distinguished from that of the Courts of Law with reference to uses or trusts of land prior to the Statute of Uses? For what purpose was that statute passed, and what was its effect?

4. Apply the maxim that Equity follows the law to its mode of dealing with equitable estates, showing any limit there may be to its application.

5. What is an estate by entireties? What are the incidents of such an estate?

6. Can a man in any way convey lands to his wife? Explain.

7. What was formerly known as *general* and *special occupants*? How is it that there cannot now be estates held in such manner?