

McGILL COLLEGE, MONTREAL.

SESSIONAL EXAMINATIONS, 1863.—THURSDAY, APRIL 16TH, 4 TO 6 P. M.

ROMAN LAW.

Examiner,.....PROFESSOR F. W. TORRANCE.

1. What is the meaning of "*collatio bonorum*"?
2. Explain the *Sctæ Tertullianum* and *Orphitianum*.
3. State shortly the changes introduced by the *possessio bonorum*, and 118th and 127th Novels.
4. Define "*Obligatio*"—" *Obligatio Naturalis*"—" *Obligatio Civis*."
5. Define contracts *re—verbis—litteris—consensu*.
6. What was the *Lex Commissoria*?
7. Did the Roman Law make the obligation of the surety void if it exceeded the debt of the principal? Is the rule of our law the same?
8. Was the sale of a thing out of commerce always null?
9. What terminated *mandatum*?
10. Explain the difference between error of fact and error of law. What was the doctrine of Pothier? What was the decision in *Leprohon v. The Mayor*, 2 L. C. Rep. 180-192.
11. Explain "*furtum*"—" *rapina*"—and "*Lex Aquilia*."
12. Explain the actions of the law—the formulary system—and "*judicia extraordinaria*."

EVIDENCE—LOWER CANADA.

1. What rule was laid by the Ordinance *de Moulins* and that of 1667 respecting parol testimony?
2. What four general principles does Pothier lay down deciding the cases in which parol testimony ought to be admitted or rejected?
3. Is the rule "*unus testis, nullus testis*" law with us? Has any change been made, and when?
4. Give an example of presumptions *juris et de jure* and those *juris*.
5. Explain the "*serment décisoire*" and *juramentum suppletorium* and *in litem*.