

We have received a letter from William Lennox, dated from some place which we cannot decipher, in the County of Londonderry, Ireland, asking for information about his son David Lennox, who in the month of August last wrote from Canada that he was a law student here, and that if living he would write again in a month, but has not done so. The father, who is greatly distressed, writes to say that he has addressed several letters to the son but has not received any reply. Information as to the young man will be gladly received by us from any of our readers.

## LAW SOCIETY, U. C.—HILARY TERM, 1859.

### EXAMINATION FOR CALL, WITH HONORS.

#### JUSTINIAN'S INSTITUTES.

1. To what persons were curators appointed; and by whom was the appointment of a curator made.
2. What were "Servitudes?" Mention some of the principal real servitudes. How were they created?
3. Give a definition of the right of "Usufruct" in the Civil Law. How was an "Usufruct" created? How determined, and what things could have been made the subject of this right?
4. What was the enactment of the Falcidian Law?
5. On what ground could a "donatio inter vivos" after it had been completed, have been revoked by the donor.
6. Where several "fide jussores," or sureties, were bound each for the whole debt, could the creditor enforce the payment of the whole from any one? If one of several "fide jussores" so bound for the whole debt, voluntarily paid the whole, could he enforce contribution from his co-sureties? Give reasons for your answers.
7. What was "novation?"
8. Was a contract of sale, by which it was agreed that the price should be fixed by a third person, good in the Civil Law; and what was the consequence if the person to whom the question of price was referred, refused or became unable to fix it?
9. Could a mandatory or agent, after having accepted the office, renounce the performance of the duty delegated to him?

#### COOTE ON MORTGAGES.

1. From what dates does the Statute of Limitations run against a mortgagee out of possession?
2. Will the Court of Chancery in any, and what case, in taking an account against a mortgagee in possession, take it with annual rests?
3. Blackacre and Whiteacre are by separate deeds, at different dates, and for distinct debts, mortgaged to A., subsequently the same mortgagor mortgages Blackacre alone to B.; can B. redeem the mortgage on Blackacre without also redeeming that on Whiteacre?
4. What is the remedy given to an equitable mortgagee, who not being able to maintain ejectment, is desirous of applying the rents and profits in reduction of his debt?

#### DARTS' VENDORS AND PURCHASERS.

1. After the conveyance has been executed, can a purchaser, upon discovering a defect of title, in any case, obtain relief either at law or in equity otherwise than by action upon the covenants for title.
2. Will the Court of Chancery in any, and what cases, set aside a sale of lands for inadequacy of price only?
3. Does it follow that because a court of equity refuses specifically to perform a contract, that it will rescind it?
4. What is the effect of a registered judgment as a charge? What interest in real estate does it bind?
5. What must be shown as to a title to induce a court of equity to compel an unwilling purchaser to take it?

#### JARMAN ON WILLS.

1. Give a definition of the rule against perpetuities.
2. Under a devise of lands to A. and his children, A. having no children either at the date of the will, or of the testator's death, what estate does A. take?
3. What is the rule by which to determine whether or not a devise to a person in trust for another, gives the legal estate to the person named as trustee?
4. In what cases is parol evidence admissible to show the intention of a testator? Give instances.
5. In what cases are cross-remainders implied in a will? Give examples. Is there any difference between the construction of wills and deeds as to the implication of cross-remainders?
6. Explain the doctrine of constructive conversion?

#### WATKINS ON CONVEYANCING.

1. In whom does the legal estate vest if on a conveyance by bargain and sale, a use is limited to a person other than the bargainee? Give the reason for your answer.
2. What is a power simply collateral? What a power in gross? Give instances of each.
3. Of what property is a deed of "Grant" the appropriate form of conveyance at common law?

#### STORY ON PARTNERSHIP.

1. Give a definition of partnership, and illustrates the rule that partnership is a voluntary contract.
2. Where the same person is a partner in two different firms, can one of such firms sue the other? Will this rule affect the rights of the holder of a note or bill made by one of such firms to the other and endorsed over? Give your reasons.
3. In what cases will a person be liable as a partner to third persons, when he is not an actual partner?
4. Has one partner in the business of an attorney the power to bind the firm by bill or note? Give your reasons.
5. Is the absence of any express stipulation between the parties conclusive on the question, whether a partnership is at will or for a definite period?
6. State some of the distinctions between the rights of a partner and a part owner of a chattel.
7. Where there are running accounts between a firm and a customer, how will the ordinary rule of law, with regard to appropriation of payments by such customer, affect the liability of a retiring partner.

#### RUSSEL ON CRIMES.

1. What is the distinction between a principal in the second degree and an accessory; in what cases can there be no accessories?
2. Is a married woman liable for crimes which she commits in the presence of her husband, and why? Does the rule apply to all crimes? If not, state the exceptions.
3. Give a definition of larceny. Is *lucrum causa* a necessary ingredient; at what time must the *animus furandi* exist to constitute the conversion of goods found a larceny.
4. What is the presumption of law as to the age at which a person is responsible for crime?
5. Mention some cases in which homicide is justifiable, and some in which it only amounts to manslaughter.
6. Define the crime of burglary. What is considered night for this purpose; does this depend on common law or statute?
7. If a prisoner is acquitted on the ground of insanity, how should the verdict be returned, and what is the effect of such finding; is the question of insanity ever raised before plea?
8. If a servant is entrusted with property by his master and converts it, is this larceny or embezzlement? Give your reasons.

#### STORY'S CONFLICT OF LAWS.

1. Give a definition of the term "Domicil," and state some of the principal rules to be applied in determining the question of "Domicil."
2. By what law is the validity of a will of personality to be determined where the property bequeathed is situate in one country, the domicil of the testator being in a different country, whilst the will is made in the third?