

CORRESPONDENCE.

cular notes," and what is the legal effect of the issue of such.

2. State accurately the circumstances under which the vitiation by fraud of the consideration for a bill will be a defence to an action on a bill.

3. A bill is endorsed conditionally so as to impose on the drawee, who afterwards accepts, a liability to pay the bill to the endorsee or his transferees in a particular event only. The bill is passed through several hands between endorsement and acceptance, and is finally paid by the acceptor before the condition is satisfied. How will this affect the liability of the acceptor to the payee?

4. What is the effect of a material alteration of a bill by an endorsee (a) on his rights against prior parties on the bill, (b) on his rights against his endorser, (c) on the rights of a subsequent *bond fide* transferee for value?

5. Sketch briefly the history of the action of ejectment tracing it from its original to its present form.

6. In cases tried at *Nisi Prius*, with a jury, where the Judge either does not wish or is not required by the parties, to give his opinion on points of law raised at the trial, what are the different courses referred to by Mr. Stephen, which may be pursued for determining such questions of law? Give any recent statutory enactments tending to facilitate such cases.

7. How should an estoppel be set up (a) when it appears on the face of the adverse pleading; (b) when it does not so appear? Answer fully.

8. "It is not necessary to state matter of which the Court takes notice *ex officio*." Explain and illustrate this rule.

9. What right of peremptory challenge of jurors have parties in a civil action? Give authority for your answer.

10. State briefly the practice in relation to the examination of parties to Common Law actions before trial. What provision is there as to the use in evidence of depositions so taken?

Best on Evidence—Smith on Contracts.

1. Explain, after Mr. Best, the expression "evidence is either *ab intra* or *ab extra*."

2. State and explain the three "guarantees" or "sanctions" of truth among men in their intercourse with each other as referred to by Mr. Best.

3. What difference is there as to the effect of evidence (a) in civil, (b) in criminal proceedings?

4. Amongst the "infirmative hypothesis" affecting real evidence, Mr. Best mentions "*forgery of real evidence*." Explain the meaning of this, and shew the causes in which such forgery may have its origin as stated in the text book.

5. State the circumstances under which "*dying declarations*" are admissible in evidence.

6. Distinguish between a *patent* and a *latent* ambiguity, giving examples of each. What is the rule as to the explanation of each by verbal evidence?

7. A owes B \$50. C for a consideration paid, promises A verbally that he will pay the debt. Can this promise be enforced? If so, why? if not, why not?

8. A who has no interest in the life of B, furnishes him with money to insure his life upon the understanding that A shall have the benefit of the assurance, and a policy is obtained accordingly. Give reasons for or against the validity of such policy.

9. Two persons agree to fight for a wager, and deposit the amount in the hands of a stakeholder. Discuss the question whether the money can be recovered back from the stakeholder.

10. What difference is there between the power of (a) a general agent and (b) a particular agent to bind the principal?

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Chief Justice Osgoode.

To the Editor of CANADA LAW JOURNAL.

SIR,—In the work of the Rev. Dr. Scadding, lately published, there is a steel engraving of the late Hon. William Osgoode, first Chief Justice of Upper Canada.

I think it would be very much desired by the profession generally, if an oil painting were prepared from the illustration, and hung at Osgoode Hall with the other portraits there.

By allowing this suggestion to appear in your journal, I have no doubt the Benchers would see to its being carried into effect.

LEX.

[In November, 1876, we suggested that the series of portraits in Osgoode