

DIGEST OF ENGLISH LAW REPORTS.

LEX DOMICILII.—See WILL, 9.

LEX LOCI.—See WILL, 9.

LIABILITY OF BUILDER.

The civil code of Lower Canada, art. 1686, provides that "if a building perish in whole or in part within ten years from a defect in construction, or even from the unfavourable nature of the ground, the architect superintending the work and the builder are jointly and severally liable for the loss." W., a builder, contracted prior to the passage of the code to build Christ Church Cathedral in Montreal, according to plans furnished by an architect, and upon a foundation laid by a previous contractor, and approved by an architect having charge of the work. Before the cathedra was finished the tower sank and damaged the building. The sinking was caused by defects in the nature of the soil under the foundation. *Held*, that the builder was responsible for the sinking, and the damage it caused.—*Wardle v. Bethune*, L. R. 4 P. C. 33.

LIABILITY OF SHAREHOLDER.—See COMPANY, 2.

LICENSE.—See CONSTRUCTION OF STATUTE, 2.

LIEN.

The owner of land taken by a railway under the Lands Clauses Act has no lien on the land for the cost of the award by which the price to be paid was fixed.—*Ferres v. Stafford & Uttoxeter Railway Company*, L. R. 13 Eq. 524.

See ASSIGNMENT OF FREIGHT; AUCTION 1, 2; SOLICITOR, 1-4.

LIFE ESTATE.—See ESTATE FOR LIFE.

LIFE INSURANCE.—See MORTGAGOR AND MORTGAGEE.

LIMITATIONS, STATUTE OF.—See STATUTE OF LIMITATIONS.

LIMITED ADMINISTRATION.—See ADMINISTRATION, 2.

LIMITED LIABILITY.—See COMPANY, 2; JURISDICTION.

LOAN.—See COMPANY, 4.

LORDS OF THE TREASURY.—See MANDAMUS.

LUNATIC.

G. became insane in France, and a *curator bonis* was appointed by the court there. A sum of money to which G. was entitled was paid into the English court under the Trustees Relief Act. The French *curator bonis* applied for this fund. *Held*, that the court had discretion, and would order payment of the income merely.—*In re Garnier*, L. R. 13 Eq. 532.

MAHOMEDAN RELIGION.—See CUSTODY OF CHILD.

MALA PRAXIS.—See BARRISTER.

MANAGER.—See PARTNERSHIP, 2.

MANDAMUS.

The Annual Appropriation Act set apart a portion of the money granted to the Queen to the payment of costs of "prosecution, hitherto paid out of county rates." Costs of certain

prosecutions, were duly taxed and paid by the county treasurer, who sent the bill with his vouchers to the lords of the treasury. They returned the bills in part disallowed. A rule *nisi* for a mandamus to the lords of the treasury, commanding them to pay the said sums to the persons entitled having been obtained, *held*, that there was no such relation between the lords of the treasury as servants of the crown, and the payees of the money as would sustain mandamus, though the lords had erred in not paying the bills without questioning their correctness.—*The Queen v. The Lords Commissioners of the Treasury*, L. R. 7 Q. B. 387.

MARRIAGE.—See BIGAMY.

MARRIAGE SETTLEMENT.—See CONSTRUCTION, 3; DEBT.

MARRIED WOMAN.—See EVIDENCE, 3; MUNICIPAL ELECTION.

MARSHALLING ASSETS.—See WILL 9.

MASTER AND SERVANT.—See BAILOR AND BAILEE.

MISDESCRIPTION.—See DESCRIPTIO PERSONARUM.

MISJOINDER.—See PLEADING, 2.

MISTAKE.—See VENDOR AND PURCHASER, 1.

MORTGAGE.

B. and H., mortgagees in possession, having a power-of-sale mortgage, filed a bill for foreclosure, and notified the parties interested of the hearing thereon. They then filed a petition in the matter of 25 and 26 Vict. 108, for leave to sell the surface lands apart from the mines. Granted.—*In re Wilkinson's Mortgaged Estates*, L. R. 13 Eq. 634.

See ASSIGNMENT OF FREIGHT; EXECUTOR AND ADMINISTRATOR; LANDLORD AND TENANT, 2; POWER OF SALE; VENDOR AND PURCHASER, 2.

MORTGAGOR AND MORTGAGEE.

A holder of a policy on his own life, mortgaged it, and then became bankrupt, but continued to pay the premiums until his death. *Held*, that the premiums so paid should be deducted from the policy-moneys in favor of mortgagor's representatives as being in the nature of salvage-moneys.—*Shearman v British Empire Mutual Life Assurance Company*, L. R. 14 Eq. 4.

MORTMAIN ACTS.—See WILL, 4.

MULTIFARIOUSNESS.—See PLEADING, 2.

MUNICIPAL ELECTION.

Married women cannot vote at municipal elections under 32 & 33 Vict. ch. 55, § 9, which provides, that in the Municipal Corporation Act the phrases indicating the male sex shall embrace persons of the female sex, for all purposes of voting provided for in that Act; and the Married Woman's Property Act, 33 and 34 Vict. ch. 93, confers no political rights, by