

LAW SOCIETY—TESTAMENTARY POWERS OF SALE.

mentioned. Seditious libels, to which Fox's Act was principally directed, are unknown to us, and no judge is likely to be led astray by an excessive reverence for royal prerogative or fear for the stability of government. Still prosecutions for libel at the instance of the Crown, though happily rare, have occurred amongst us. In such cases it behooves the judge to act circumspectly, lest the suspicion may be aroused that the baleful influence of party feeling has invaded even the bench, and that the spirit of the Act has been overridden by a specious adherence to the letter.

LAW SOCIETY.

MICHAELMAS TERM, 1874.

There seems to have been a decided falling off this Term in the number of those who are sent forth as competent on behalf of their clients to "plead and be impleaded" in Her Majesty's Courts. The various examinations resulted as follows:

CALLS TO THE BAR.

Mr. Jas. H. Coyne, without an oral, having obtained over three-fourths the total number of marks, and Messrs. M. E. O'Brien, W. H. Watson, W. H. McFadden and N. F. Paterson, also without an oral, being already attorneys.

ATTORNEYS ADMITTED.

Mr. Jas. H. Coyne, (without an oral), and Messrs. W. H. McFadden, M. E. O'Brien, G. H. Watson, A. D. Cameron, James Pearson, W. D. Foss, H. E. Henderson, A. R. Creelman and H. W. Delaney.

INTERMEDIATE EXAMINATIONS.

FIRST—Messrs. J. L. Whiting, F. B. Robertson, James Fullerton, J. R. Whiteside, H. East, F. D. Cowper and Walter Barwick, (without an oral.) Messrs. J. J. Manning, H. P. Milligan, H. Vivian, J. J. Wadsworth, J. W. Robinson, J. Lappan, A. H. Marsh, C. F.

Smith, R. Góurlay, T. J. Decatur, F. H. Kennin, (after an oral examination.)

SECOND.—Messrs. John T. Wood, A. Monkman, C. J. Holman, M. Wilson, J. H. Scott, J. C. Haslett, A. C. Killam, R. G. Cox and C. C. Robinson, (without an oral.) Messrs. F. Going, E. J. Reynolds, A. Ogden, A. E. Smythe, James Leitch, S. C. Locke and Thomas Hodgkin.

SCHOLARSHIP EXAMINATIONS.

These examinations resulted as follows:

FIRST YEAR—T. P. Galt, 263 marks.

SECOND—D. E. Thompson, 288 marks; James Fullerton, 263 marks; (the other students not classed being below the minimum.

THIRD—J. W. Gordon, 234 marks. Maximum, 320, and minimum, 214, in first, second and third years.

FOURTH—H. J. Scott, 350 marks. Maximum, 400; minimum, 300.

The examinations of Mr. Scott, for the fourth year (though only a "three year" man) and Mr. Thompson in the second year, were remarkably good, both obtaining a very high percentage, and this is also the first time for four years that the required standard in the fourth year has been reached.

SELECTIONS.

TESTAMENTARY POWERS OF SALE.

(Continued from page 308.)

In Massachusetts, at least, the law should be clear on this point, if decisions can make it so. It has been here held from the first that an executor's or administrator's function, as such, includes the performance of duties relating to the payment of legacies, whether directly or in trust, even if that trust extends over the lifetime of the legatee. The decisions, some of which go to a great length, and may be considered as modified by later authorities, nevertheless clearly show that an executor is bound to perform a testamentary trust, and, therefore, that he is *quoad hoc* a trustee; and it is a legitimate consequence of this that all powers