We have only referred to the discrepancies between some of the doctrines laid down by the court, and the authority cited for their support, for the purpose of demonstrating what we before have intimated in relation to the dicta contained in long opinions. We might also instance what the court has said concerning endowments. On page 17, it is stated that a grant to raise money by lottery, is no endowment, because "it was a mere privilege granted, which cost the State nothing." The reason is extraordinary, and would prevent almost any thing from being an endowment. What does cost the State any thing? Vacant lands do not, nor would the privilege of selling marriage and retailers licenses; any thing which is available in producing money must be an endowment.

We would briefly refer to page 38, as containing a principle not sufficiently sustained to authorise us without further investigation to engraft it upon our code as a settled law. The court say that accepting an office under a void charter, is not a resignation of a place under a valid one. This is stated upon the authority of a case in Salkeld, taken from a slight misrepresentation of it by Wilcock in his book on corporations, who has stated the dictum of the court instead of the point decided. The weight of English authority, as well as reason seems to be against this doctrine. In the Rex vs. Hughes, 5 Barnwell and Cresswell 886, it was held, that accepting the office of Alderman under a *void* election, vacates the office of Burgess, and the reasoning of the court which is very forcible, would apply equally to an office under a void charter. The incompatibility of the stations not the title by which they are held, makes the acceptance of one the surrender of the other.

But if the Legislature, contrary to what it seems reason, and the books would justify should be determined; to abide by all the court has said on the collateral points of the case they decided, still the main question is open. Was the corporation of 1812 dissolved by loss of members? On this there cannot be a doubt: The corporation of Regents is one of integral parts. The four Faculties compose it, and each Faculty has the power *alone* of appointing its members. If any one of the Faculties lost a majority of its members before the attempt to reorganise the Regents in 1837, the corporation was dissolved, an integral part was gone without power of restoration. We think the Faculty of Physic had lost a majority of its members, but whether it had or not, the Faculty of the Arts and sciences certainly had. This, to some extent was admitted by the counsel who argued for the Regents. Our views in relation to a dissolution by loss of members are sustained by all the authorites (see King vs. Passmore, 3 Term Rep. 199.)

If, however, the loss of members resulted from an accidental omission to fill vacancies, we would not recommend any advantage to be taken of it, but that is not the case. A claim of right is now asserted, involving a large amount of property, which the people and the State have been taught to believe by the acts and declarations of