

CONSTRUCTION OF STATUTES.

Examiner: A. C. Galt.

1. Distinguish between rules of law and rules of construction, as applied (1) to deeds, (2) to statutes.
2. Explain the meaning of the statement that "a court of law cannot interfere to prevent a mere evasion of an Act of Parliament."
3. A statute passed by the Legislature of Ontario contains certain words which (owing to local idiom) bear a different meaning in Ontario from that which they would bear in England; and the statute comes before the Privy Council for construction.
What is the rule applicable in such a case?
4. Under what circumstances may omissions from a statute be supplied by implication?
5. What is a *penal* Act, and what are the rules for deciding whether an Act is or is not penal?
6. A private Act is passed which purports to affect the rights and liabilities of A., B., and C. A. and B. concurred in having the Act passed, but C. did not, nor was he notified of it. Is C. bound by the Act?
7. What consequences follow the presumption that the Legislature knows the law? Illustrate answer

PRIVATE INTERNATIONAL LAW.

Examiner: W. D. Gwynne.

1. Explain the maxim *nemo potest exuere patriam*. What war was brought about by the assertion of this maxim?
2. By what law are the rights of husband and wife governed as regards the property of either of them?
3. What is the general rule adopted in private international law for the interpretation of contracts?
4. What must be shown to give the English courts jurisdiction to grant a divorce?
5. A resident of Toronto is the maker of a promissory note, and has in his possession some of the payee's goods. The payee dies domiciled at Montreal, and his executor under a Quebec grant having possession of the note brings action in Ontario for payment of the note and delivery of the goods. Can he succeed?
6. A testator makes a will of personal estate in New York and dies domiciled in Quebec. By what law will the will be construed in Ontario?
7. Give two instances in which the English courts will refuse to entertain an action to enforce a contract notwithstanding that it is valid by its proper law.

TORTS.

Examiner: John H. Moss.

1. A. contracts to make certain alterations in B.'s house. A carpenter in A.'s employ, who is engaged upon the alterations, lights his pipe, and carelessly