

EXAMINATION PAPERS.

FROM EXAMINATION FOR CALL (ENGLAND),
EASTER, 1891.

Real and Personal Property.

State and explain the mode of settlement of leasehold property or personal chattels so as to devolve with settled freehold land, and show how far such settlements can be effectually carried out.

Interpret and comment on the following expressions: "Innocent conveyance," "contingency with double aspect," "special occupant," "springing use," "shifting use."

In what different ways can a joint tenancy of real estate be severed?

Define a "perpetuity," and state the rules governing the limitations of estates in land in reference to the law of perpetuities.

Equity.

Distinguish cases of ademption from cases of satisfaction. Give instances of the doctrine of election arising in such cases.

State the doctrine of presumption against double portions, and its application to cases of ademption or satisfaction. How far is parol evidence admissible as to intention or otherwise as to such presumption?

What are the presumptions as to satisfaction in cases of a legacy to the creditor of a testator, or advancements by a parent to a child to whom he is a debtor?

State and illustrate the present law as to injunctions against cutting timber in cases between (a) mortgagee and mortgagor; (b) tenant for life and remainderman. Also as to injunctions in respect of permissive waste.

In what circumstances can a defendant resist an action for specific performance on the ground of the contract being entered into by him under circumstances of mistake or surprise? When is alleged mistake no defence?

Common Law.

What is meant by the phrase "privity of contract"? Explain what is meant when it is said that an action will not lie for "want of privity."

When is an "acceptance and actual receipt" of goods sufficient to satisfy section 17 of the

Statute of Frauds? Discuss the case of *Morton v. Tibbitt*, 15 Q.B. 428.

What is the measure of damages—(1) in an action for not delivering goods; (2) in an action for not accepting goods; (3) in an action for the wrongful conversion of goods by the defendant?

Illustrate by examples the distinction between a public nuisance and a private nuisance. What proceedings can be taken to remedy (1) a public nuisance; (2) a private nuisance?

What is meant by an "easement"? How can an easement be acquired? Can an easement be abandoned?

What is the meaning of the word "intention" in connection with criminal law? Illustrate your answer by examples.

Flotsam and Jetsam.

SEVEN of the supposed-to-be sharpest and wisest lawyers in the country have made wills, passed away, and the said wills have been broken all to flinders by heirs and other lawyers. An ignorant Missouri farmer wrote his will in four lines on a slate, and it stood three law suits and ten lawyers.—*Chicago Mail*.

SIR GEORGE ROSE had a friend who had been appointed to a judgeship in one of the colonies, and who, long afterwards, was describing the agonies he endured in the sea passage when he first went out. Sir George listened with great commiseration to the recital of these woes, and said, "It's a great mercy you did not throw up your appointment."—*Curiosities of the Law and Lawyers*.

A MILLER had his neighbor arrested upon the charge of stealing wheat from his mill, but being unable to substantiate the charge by proof, the court adjudged that the miller should make an apology to the accused. "Well," says he, "I have had you arrested for stealing my wheat. I can't prove it, and am sorry for it."—*Ibid*.

THE lower branch of the Ohio Legislature has passed a law which gives an undertaker the right, if a coffin is not paid for within three