

C 35913

Law School.

MAY EXAMINATION : 1897.

THIRD YEAR.

CRIMINAL LAW.

HONOURS.

Examiner : R. E. KINGSFORD.

1. Describe the jurisdiction of the admiralty of England, with special reference to the following points :

- (a) The division of its Common Law jurisdiction ;
- (b) Its former exclusive jurisdiction when the Common Law Courts could not afford proper redress ;
- (c) The area of its present jurisdiction.
- (d) Why is the question, whether a particular crime has, or has not, been committed within the jurisdiction of the Admiralty of England, important ? Explain.

2. Define a criminal information, and name and define the kinds of criminal information which are known to our law.

(b) Is there any doubt in what cases a criminal information may be laid ? Explain.

3. What change in the law has been made by the Code with respect to married women and infants being bound over to prosecute or give evidence at a criminal trial ? Explain.

4. Describe the *modus operandi* of obtaining bail for an accused person after his committal.

(b) What power formerly possessed by a justice with respect to admitting to bail has been taken away by the Code ? Explain.

5. State the rule, and the classes of exceptions to, or qualifications of, the rule, as to the place for preferring an indictment.

6. Explain the difference between the law of England and the law of Canada as to accessories after the fact.

(b) Explain what is meant by trying an accessory after the fact for a "substantive offence."

7. Give the statutory provisions with respect to summary trials under which defences analogous to those of *autrefois convict* and *autrefois acquit* may be successfully made, and give illustrations of same.

8. State the principal distinction between a plea of pardon by the Crown and pardon by statute.

(b) Assuming that a pardon by statute would be a good defence, is it always necessary to plead it ? Explain.

9. A is charged with murder, and is arraigned on the indictment. Instead of pleading to the indictment he challenges the array of the grand jury, and also challenges three of the grand jurors individually. Can A do this ? Explain, giving reasons for answer.

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