

EXAMINATION QUESTIONS.

an account at the instance of one partner as against his co-partner, the partnership still subsisting, and no dissolution being asked or ordered?

6. What obligation, if any, is there upon a mortgagee in possession to keep the mortgaged premises in repair?

7. What is the reason for the rule that equity will not marshal assets in favour of a legacy given to charities?

BROOM'S COMMON LAW AND A. J. ACTS.

1. What is meant by the expression *damnum sine injuria*? Is such damage actionable by law? Explain.

2. What is an action of Trover? What are the two things necessary to be proved to entitle plaintiff to recover in this kind of action?

3. Under what circumstances, if any, is a private person justified in abating a public nuisance?

4. What is the effect of a drawee of a bill of exchange accepting the bill (a) generally; (b) payable at a bank; (c) payable at a bank and not otherwise or elsewhere;

5. Define an *estoppel in pais*.

6. What are the various degrees of homicide recognised by the law of England? Give examples of each.

7. What provisions are made by the Administration of Justice Act for the trial of common law cases without a jury besides trial at *Nisi Prius*?

LAW SCHOOL.

Equity.

1. State the order in which partnership assets are administered.

2. What interests have the legal representatives of a deceased partner in the goods and chattels of the partnership?

3. How has the doctrine of liability to third persons, by reason of a party sharing in the profits, been settled by the case of *Cox v. Hickman*.

4. A partner purports to mortgage, for his separate benefit, his interest in certain partnership lands. What does the mortgagee take under this mortgage?

5. What effect (if any) on the partnership relation has the lunacy of one partner?

6. To what extent has a partner a lien on the partnership property?

7. State under what circumstances the Court will grant relief to one partner as against his co-partner in respect of partner-

ship matters without decreeing a dissolution.

8. When does the Statute of Limitations begin to run in favour of one partner as against his co-partner in respect to partnership rights?

9. A, having given his personal continuing guarantee to a firm, securing them against loss by reason of any credit they might give to B. A new credit is so given, and an additional partner is admitted into the firm, and thereafter further credit is given to B. on the security of this guarantee. What is the extent of A's liability?

10. Point out some distinctions between the rights of partners in partnership lands and of co-owners in lands owned by them in common.

11. What effect, if any, on the partnership has the sale under execution of one partner's whole interest in the partnership? Explain.

12. Trace the changes in the practice whereby a partner's interest in partnership chattels could be realized for the benefit of his separate creditor.

13. What prudential steps should a partner adopt on a dissolution of partnership in order that his co-partner may not thereafter render him liable on new contracts?

14. How can a creditor of a firm obtain relief against the separate estate of a deceased partner? Who are necessary parties to such procedure?

15. A deceased partner, by his will directed his executors to carry on the partnership business. To what extent are the executors entitled to embark the deceased partner's property in such business?

JUNIOR CLASS.

Witnesses and Evidence in Criminal Cases.

1. What was the common law rule as to the admissibility in evidence of convicted felons? and what statutory change has been made in this respect?

2. Is a criminal under sentence of death admissible to give evidence now, or formerly? Give reasons.

3. Discuss the question of the admissibility and effect of the evidence of an accomplice in a criminal case.

4. State briefly the rule, giving exceptions, as to the admissibility of the evidence of a wife for and against her husband in criminal law. A and B are jointly indicted, can the wife of A be called in evidence for or against B?