Real and Personal Property.

Pass Paper.

What are the distinctive features of real property and personal property respectively? Why, in the first instance, were leases for years of land considered as personal estate, and titles of honour as real estate? (See Wms. R. P. Intro.)

If lands be given to A. and B. and the heirs of their two bodies, what estates do A. and B. take (1) when they are persons who can, (2) when they are persons who cannot, possibly intermarry? (See Wms. R. P. Pt. I. c. 6.)

A testator in 1870 charged his freehold estate, Blackacre, in aid of his personal estate, with the payment of his debts and of a legacy to his widow, and so charged he devised Blackacre to his son A. in tail male. He devised his freehold estate, Whiteacre, to his son B. in fee, charged with payment of a legacy to each of his daughters C. and D., and he appointed F. his executor. The charges are unsatisfied: A. and B. are both bachelors and desire to sell both estates. Can a good title be made, and who must convey to the purchasers? (See Wms. Pt. I. c. 10.)

A. and B., men, and C., a married woman, being joint tenants of a freehold estate, agree in writing signed by them all, but not acknowledged by C., to sell the estate. Before a conveyance is executed C. dies, what becomes of her share? (See Smith, R. & P. 234; Deane's Principles of Conveyancing, p. 228; *Caldwell* v. *Fellows*, L. R. 9, Eq. 410.)

Can a married woman exercise without her husband's consent a power over real estate given to her when married? (See Wms. Pt. II. c. 3.)

If a leasehold is bequeathed to A. for life, remainder to B., and the executor assents to the bequest, what becomes of the legal term of years on the death of A? (See Fearne, C. R. 402.)

Sketch in outline a conveyance in fee, with all usual covenants, on a purchase from mortgagor and mortgagee of part of the mortgaged property, the purchase-money being paid to the mortgagee in reduction of the debt? (See Davidson, Vol. II. P. I., Prec. XII.)

Common Law.

Pass Paper.

What is the law as to suing on a gaming or wagering contract? Is such a contract illegal? (See Indermaur, Principles of the Common Law 232, 234; *Hampden* v. *Walsh*, L. R. 1 Q. B. D. 189.)

Give instances when an executor is and is not liable on a contract made by his testator? (See Indermaur, C. L. 123, 253; 2 Wms. Executors, 7th ed., 1721—1728.)

When is a person indictable for endeavouring to conceal the birth of a child? State the effect of the enactments on this subject? (See Harris, Criminal Law, 174.)

Give instances showing what would and what would not amount to embezzlement? (See Harris, Cr. L. 221, 223; Broom, C. L. 953, 954.)

What is the mode of proceeding at the trial where a person is indicted for larceny, and is charged in the indictment with a previous conviction for felony? (See Archb. Cr. Pl. 327, 18th ed.; Harris, Cr. L. 330.)

When may the Court before whom a prisoner is tried and convicted order that he be subject to the supervision of the police? What is the effect of such an order? (See 34 and 35 Vict. c. 112; Harris, Cr. L. 443.)

Equity.

Pass Paper.

Distinguish between (1) an Express Trust, (2) a Constructive Trust, (3) an Implied Trust, (4) a Resulting Trust: and give instances of each? (See *In re Carter's Trusts*, L. R. 14 Eq. 217; Snell, pt. 2, c. 4; Dyer v. Dyer, 1 W. & T. 3rd ed. 184; Smith's Manual, T. 2, c. 5).

A testator gives all his personal estate to trustees upon trust to permit his widow to reside in his house, and use such parts of his property as she may desire personally to enjoy for her life, and as to all the residue upon trust for his widow for life for her separate use, remainder to his only son for life, remainders over. The testator's estate consists of—(1) A leasehold house, the lease of which has twenty years to run at the time of his death: (2) The household furniture in his house; (3) A cellar full of valuable wine; (4) £10,000 consols; (5) A terminable government annuity, of which twenty years are unexpired at his death; (6) A leasehold farm; (7) £500 Bank of England stock; (8) £1,000 five per cent. debentures of the London and North-Western Railway Company. How ought the trustees to deal with these items respectively? (See *Howe* v. *Earl of Dartmouth*, 2 W. & T. 3rd ed. 289; Theobald on Wills, 102; Jarman 1. 577; Snell, 2nd ed. 129.)

Distinguish between legal assets and equitable assets. The importance of this