

C 35888

Law School

MAY EXAMINATION : 1897.

FIRST YEAR.

EQUITY.

PASS.

Examiner : HERBERT L. DUNN, B.A.

1. Give an account of the establishment of the Court of Chancery as a regular Court.
2. Explain the maxims (1) "Equity follows the law" and (2) "Where there is equal equity the law must prevail." Give an illustration of each.
3. "As to trusts executed, equity follows the law. As to trusts executory, equity may or may not follow the law." Explain fully and give examples.
4. A. by deed conveys certain lands to B. in trust to sell and apply the proceeds of sale in payment of A.'s debts. Under what circumstances does the deed become irrevokable?
5. What is a power in the nature of a trust? Give an example.
6. "Charities are in general highly favored in the law." Explain this statement.
7. What is the doctrine of election? Give an example.
8. Upon what grounds will the Court decree the dissolution of a partnership?
9. Distinguish between accident and mistake and give an example of each.
10. What are the rules for determining whether a sum specified in an agreement to be paid upon breach thereof is to be treated as a penalty or as liquidated damages?
11. When will the Court grant to a private person an injunction restraining a public nuisance?
12. When will the Court direct a void instrument to be delivered up to be cancelled?

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