

EXAMINATION PAPERS.

Real Property.

(Honors.)

1. What is the effect of a conveyance to A. and B. (husband and wife), and C., a third person, and their heirs "as joint tenants"?
2. A devisee of lands finding that the devise is a burdensome one, will not take the estate, and disclaims, whereby the lands descend to the heir, can the heir disclaim?
3. Explain the rule in Shelley's Case, and illustrate your answer by an example.
4. Explain *merger*.
5. How must the witnesses to a will subscribe their names in order to make the execution of the will valid?
6. A grant is made to A. for life, and if C. be living at his decease then to B. in fee. What interest or estate, if any, does B. take? Explain.
7. What is the protector of the settlement? How many persons may be constituted protectors at the same time? How must the protector's consent to a disentailing deed be given?

Smith's Common Law.

(Honors.)

1. Explain the meaning of *retainer* and *remitter*.
2. After goods have been refused at the consignee's address, what is the responsibility of the carrier in respect of them?
3. Who owns the tree in each of the following cases? (1) The trunk and all the roots are on the land of A., but all the branches hang entirely over the land of B. (2) The trunk is on the land of A., but all the roots are in the land of B.
4. What implied warranties are there on the part of the owner of a vessel who holds a policy of insurance upon it? Explain fully the meaning and effect of such warranties.
5. What effect has excess of authority by an agent upon the liability of the principal to third parties (1) in the case of a particular agent, (2) in the case of a general agent?
6. Explain the meaning of *general average* and *salvage*.
7. Where the tenant of a dwelling-house has covenanted to repair, and the house is burnt down during the term, what is the tenant's position (1) as to liability to rebuild, (2) as to liability for the rent while deprived of the use of the house?

Williams on Personal Property and Judicature Act.

1. Define Bailment.
2. Define Charter Party, Bill of Lading and Freight. In case of the mortgage of a ship, who is entitled to the freight?
3. Point out the ways in which a surety may be discharged from his liabilities by the conduct of the creditor.
4. What was the distinction anciently drawn between a gift of goods to A. for life and after his decease to B., and a gift of the *use or enjoyment* of the goods to A. for life, and after his death, to B.? State the law on the subject as it now stands.
5. Can a voluntary settlement of personal estate be defeated by a subsequent sale of the property by the settor? Give reason for your answer.
6. Give the names of the ordinary pleadings in on action. State the times for delivery of each and shortly how the issues to be raised by the same are to be tried.
7. What are the liabilities of an executor in case of recovery against him on a debt of his testator which was barred by the Statute of Limitations.

SECOND INTERMEDIATE.

Broom's Common Law and O'Sullivan's Manual of Government in Canada.

1. What is the primary or "golden" rule to be observed in the interpretation of statutes?
2. Explain the meaning of *general customs* and *particular customs*; and mention the principal qualities which customs must possess in order to be binding.
3. Explain the meaning of *damnum sine injuria*, and *injuria sine damno*. Give an example of each.
4. What is the principal difference between a *tort* and a *crime*?
5. Explain the meaning of *independent covenants*, *dependent covenants* and *concurrent covenants*.
6. Where one partner enters into a contract expressly in the name of his firm, but without the knowledge or express authority of his copartners, by what test will it in general be determined whether the firm is liable on such contract or not? Illustrate by example.
7. Name the different departments presided over by the members of the Dominion Cabinet respectively.