

vision: "To Richard Jones I give an annuity of \$100 for his life, payable quarterly." And further on in the will, "I give to Richard Jones \$100 a year for his life." Will the legatee be entitled to both legacies? Explain. Would it make any difference if one of the two gifts had been by will, and the other by codicil?

5. A. by his will appointed B. and C. his trustees, and directed them to lay out and invest the residue of his estate in the public funds, and to pay and apply the dividends and interest arising therefrom to D. and E. equally between them as tenants in common. D. brings an action to compel the trustees to make to him an absolute transfer of a moiety of the residue. Can he succeed? Explain.

Armour on Titles, Statute Law, and Pleading and Practice.

Examiner: M. G. CAMERON.

1. A., being the owner thereof, conveys a parcel of land to B. B. does not register his deed. A. subsequently conveys to C., who registers his deed, but at the time of registration is aware that B. is in possession of the land.

Will C.'s conveyance be postponed to that of B.'s? Explain.

2. Is a mortgagor entitled to insist upon the mortgagee permitting him to inspect and make copies of the title deeds in the custody of the latter? Has there been any recent change made in the law in this respect?

3. A. conveys a parcel of land to B., who gives back a mortgage for a portion of the purchase money. A. assigns the mortgage to C. There is an incumbrance upon the property which A. should have discharged, but has not. What, if any, are B.'s rights against A. and C.?

4. If A. conveys a certain parcel of land to B., and the heirs of his body by his wife Catherine, and Catherine dies, and B. marries again, what interest has his second wife in this land? Explain.

5. Enumerate the different ways by which a will may be proved upon the trial of an action?

6. When is a defendant entitled to a præcipe order for security for costs, and what directions should the order contain?

7. What must be proved by the applicant in order to procure an interpleader order?

8. Will the court upon the application of an infant by his guardian direct the sale of his

estate? If so, what facts must be shown in order to obtain such a direction?

9. Within what time must an appeal to the Court of Appeal from (a) a judgment of the High Court, and (b) an interlocutory order, not being a decretal order, be brought to a hearing?

10. Enumerate the class of actions that must be tried by a jury unless the parties waive their right to such a trial?

Smith's Mercantile Law—Smith on Contracts.

Examiner: F. J. JOSEPH.

1. The rule is that an executed consideration must have arisen from a previous request by the person promising, in order that it may be sufficient to support the promise. Mention any cases in which the law will imply a previous request.

2. Mention any cases in which money paid on an illegal contract can be recovered back.

3. Can a contract entered into by a person in an intoxicated condition be enforced?

4. What is a warranty in a policy of insurance, and how does it differ from a representation?

5. A., a manager of an incorporated company, is instructed by the directors to misrepresent the financial condition of the company. A. holds a large amount of the stock of the company in his own right, and in order to sell it to B. falsely represents to B. that there will be a large bonus declared at the next annual meeting of the company. B. purchases the stock, the company declares no bonus, and consequently the stock becomes worthless. What are the rights of B.?

6. How may an agent forfeit his commission?

7. What is meant by noting a bill?

8. Within what time must an action be commenced in the following cases:

(a) For debt upon a bond.

(b) For rent upon an indenture of demise.

(c) On a promissory note payable on demand.

Supposing the person entitled to any such right of action resides out of Ontario?

9. A. owes B. several sums, some of which are barred by the statute. A. makes a payment to B., but insufficient to discharge his whole liability. What are the rights of A. and B. respectively as to the appropriation of the payment made by B. Supposing neither A.