

What relief, if any, is A. entitled to in equity, and what maxim applies?

2. Under what circumstances and upon what terms will profert of a bond, upon which action is brought, be dispensed with?

3. A compromise of rival claims, of apparently doubtful validity, by A. and B., is entered into by the parties, by which it happens that A. eventually obtains much more than he was entitled to. How far has B. a remedy against A.?

4. What has to be shown to entitle a party to a contract, reduced to writing, to have the contract reformed?

5. A. enters into negotiations with B. for the purchase of a large farm, which B. represents to be "well watered, well wooded, and fertile." A. says that he will not close the negotiations until he has visited the farm, which he does.

He does not go over all of it, but rides to various rising grounds, and expresses himself as well satisfied with the appearance of the farm.

As a matter of fact, much of the farm is a swamp, and the trees, though plentiful, are of a very worthless nature, while a considerable part of the soil is stony and barren.

How far is A. entitled to relief? State reasons of your answer.

6. In the case of a marriage settlement where there is very gross inadequacy in the arrangement, what relief, if any, will be given in equity?

7. How far may gifts from a client to a solicitor, during the existence of the relation or after its cessation, be supported?

8. An instrument not required by statute to be registered is registered by one of the parties.

How far does this registration create notice by which third parties are affected?

9. A firm endorses a negotiable security in the partnership name. What is the liability of the partners, joint or several, or both?

10. Where a parol contract is entered into in consideration of marriage, how far is the subsequent marriage a sufficient part performance to take the case out of the Statute of Frauds?

Benjamin on Sales.

Examiner: A. W. AYTOUN-FINLAY.

1. A. is induced by B. to sell goods to C., who is at the time, and to the knowledge of B., in insolvent circumstances; B. then obtains the goods from C. for his own benefit. Has A.

any remedy against B.? Give reasons for your answer.

2. A. orders goods from B., an agent, to be paid for on delivery; on receiving notice of the arrival of the goods at B.'s warehouse, he goes there and directs C., whom he finds in charge, to put a certain mark on the goods; afterwards, a dispute having arisen as to the stipulated price, A. refuses to take the goods, and action is brought against him by B.'s principal; after action brought, A., at B.'s request, writes in B.'s ledger, at the bottom of a page containing a list of the goods in question, the acknowledgment "Received the above," and signs it. How far is there (a) delivery of the goods to, and acceptance of them by, A.; (b) a sufficient memorandum to satisfy the Statute of Frauds?

3. A. agrees to sell B. goods to the amount of \$300, B. being allowed to deduct therefrom the sum of \$78, a debt due by A. to B. How far is the sum of \$78 a part payment, sufficient to take the case out of the Statute of Frauds?

4. Plaintiff brings action against A. on a contract in writing, which satisfies the Statute of Frauds; A. sets up as a defence a rescission of the contract by parol agreement. How far is this a sufficient defence to an action for specific performance?

5. A. sells to B. an annuity dependent on the life of C., who had, prior to the transaction, died, without the knowledge of either A. or B.; both have equal means of ascertaining the fact, but B. pays the purchase money to A. Has B. any remedy? Explain.

Hawkins on Wills.

Examiner: M. G. CAMERON.

1. A. by his will makes the following bequest: "I direct that the net proceeds of my estate be equally divided between my children, share and share alike, and at the time of their respectively arriving at the age of twenty-one years." All of the children die under twenty-one. Who take? Explain.

2. The will of A. contains the following clause: "I bequeath to B. when he attains twenty-one the sum of \$1000 with interest." B. dies before attaining his majority. Who take? Explain.

3. A testator makes a bequest to the children of A., viz., B., C., and D., when the youngest child, D., attains twenty-one, that is to say, to