

Law Students' Department.

EXAMINATION QUESTIONS.

(Selected from those set for admission to the Illinois Bar.)

Corporation Law.

1. (a) What is a corporation and how is it created? (b) Name some of the features in which a business corporation differs from a co-partnership.
2. (a) What is an eleemosynary corporation? (a) What is a municipal corporation?
3. (a) When is an act of a corporation said to be *ultra vires*? (b) What is the rule of law as to the responsibility of a corporation for the acts of its agents?
4. (a) State whether or not the officers or directors of an ordinary business corporation have an implied authority to make a *bona fide* sale of the entire assets of the company and to wind up the company's business. (b) Can a majority of the stockholders do so against the protest of the minority?
5. (a) What are dividends? (b) Will a court of equity at the suit of a stockholder compel the directors of a corporation to declare dividends? If so, when?
6. (a) What is a common carrier; and how does it differ from a private carrier? (b) Under which head does an express company belong?
7. In what ways may a corporation be dissolved?

Equity.

1. (a) Name three of the general maxims of equity. (b) Explain briefly what is meant by the maxim that "equity follows the law."
2. (a) Explain what is meant by equitable estoppel. (b) State generally the law of notice.
3. (a) How does an express trust differ from an implied one? (b) To what measure of diligence do courts of equity hold trustees in their care of trust property? (c) State briefly what you understand by the doctrine of equitable conversion. (d) What do you mean by precatory words in a will?
4. What is a guardian *ad litem*?
5. Can an infant or insane person be made defendant in an action?

Common Law.

1. (a) Explain the difference between actions *ex contractu* and actions *ex delicto*. (b) Give the different kinds of each.
2. In case of breach of contract by "The County Wood and Water Co.," a corporation in which the sole stockholders are John Hower, James Drawer, and Charles Seller, in an action for such breach would you sue the corporation or the stockholders, or both?
3. (a) Give a definition of the term "evidence." (b) What is the difference between

primary and secondary evidence? (c) Briefly state the difference between presumptions of law and presumptions of fact.

4. (a) Explain what you understand by burden of proof. (b) What class of communications are privileged from disclosure in evidence? (c) What is meant by *res gestae*?
5. (a) State the difference between patent and latent ambiguities. (b) Is parol evidence admissible to explain either kind, and, if so, which?

Real Property—Wills.

1. Give a short statement of how land was held under the feudal system.
2. Define an estate in fee simple. What word was necessary to create such an estate at common law in conveying by deed?
3. What is an estate tail? In what ways were such estates barred? Do such estates exist here?
4. What is an estate for life? In what estates was the tenant liable for waste?
5. At common law, what interest did the husband acquire in the real property of his wife? Define estate by curtesy. What are the requisites of estate by curtesy? Does it exist here?
6. Define dower. How can same be barred during coverture? What was the widow's quarantine? How is the value of dower determined? Is dower barred by jointure? What is jointure?
7. Define an estate for years. What are the principal covenants in a lease? When is estate of lessee said to become merged?
8. Define joint tenancy, tenancy in common, tenancy in coparcenary, tenancy in entirety. Give incidents of each.
9. What is partition and how may it be made?
10. What is estate upon condition? Give an illustration of conditions precedent and subsequent in such an estate?
11. What is a mortgage, and how can same be foreclosed? What estate may be mortgaged?
12. What is equity of redemption? Who should be made parties in foreclosure proceedings?
13. What is a resulting use? Give example. What is an executory devise? Give illustration.
14. What are the requisites of a valid will? Make a short draft of a last will and testament, including attestation clause.
15. What is livery of seisin? Is it required now?
16. What are the essential parts of a deed?

COUNSEL FOR THE DEFENCE: "Of course the crime of arson should be severely punished; but I would ask the honorable judge and jury to bear in mind that my client knew in what a splendid state of perfection the fire department of the village was."—*Ex.*