

years, with the direction that the interest thereon be paid him in the meantime. "A." dies when twenty-one years of age. Who is entitled to the \$5,000, and why?

5. When (if at all) is a purchaser bound to disclose to the vendor facts relating to the land which he is about to purchase?

6. Where the vendor's solicitor receives the deposit money under an agreement for the sale of lands, in what capacity does he hold it? Is there any distinction between a solicitor and an auctioneer in such case?

7. A bequest is made by a testator to the children of A., "who survive me." A child is born six months after his death, will such child take any share?

8. Write a short note on testamentary capacity.

9. What statutory provisions are there in respect of the right of a subsequent mortgagee to bring action for arrears of interest in cases where a prior mortgagee has been in possession?

10. "A." attends an auction sale of real estate; he bids on the property and it is knocked down to him for \$5,000; before signing the contract he seeks to retract his bid. Can he do so?

Equity—Honors.

1. As between husband and wife, who is entitled to the custody of their infant children? Can this right in any way be affected by the conduct of the parents? Is there any statutory (Provincial) legislation in regard thereto? If so, what?

2. Distinguish between Novation and Subrogation, giving an example of each.

3. A testator bequeathes \$10,000 for "promoting charitable purposes, as well of a private as a public nature, and more especially in relieving distressed persons." Is such a good bequest?

4. What classes of persons may institute actions for the administration of a deceased person's estate?

5. Under what, if any, circumstances, will Courts grant relief in the case of an award (a) where mistake of a law is alleged, (b) where mistake of fact is depended on?

6. Under what circumstances will the Court decree the dissolution of a partnership at the instance of one of the partners when he cannot by his own act dissolve the same?

7. State some cases in which the Court will appoint a receiver. When appointed, what are

his rights and duties? Why is such appointment often termed an equitable execution?

8. Under what circumstances will Courts at the present time grant relief in the case of confusion of boundaries?

9. A. is a tailor carrying on business in Toronto, as the York Tailoring Establishment; he sells out the business and good-will to B.; he then rents the next door shop, in which he starts a new tailoring business under the name John Smith. Has B. any remedy, if so, what? Explain.

10. Explain what is meant by the doctrine of pressure as applied to assignments made by insolvent debtors.

Contracts—Statutes—Evidence.

1. "There is believed to be one positive exception in our law to the rule that the revocation of a proposal takes effect only when it is communicated to the other party." State the exception. How far is notice to the other party requisite?

2. "There are certain classes of cases in which it may be said that mistake, or at any rate ignorance, is the condition of acquiring legal or equitable rights." Explain this statement.

3. In what cases can an agent personally enforce contracts entered into by him on behalf of a principal?

4. A question arises on the true construction of an arbitration agreement, whether the subject matter of a particular dispute falls within the agreement. Who must decide this question? Explain.

5. A. covenants with B. to insure his (A.'s) life within a given time. Before the end of that time his health becomes so bad as to be uninsurable. What is the effect on his covenant?

6. A. sells goods to B., and desires B. to send for them. C. obtains the goods from A., by falsely representing himself as B.'s servant. How far would a sale by C. be valid against A.? Why?

7. How may the genuineness of a disputed writing be proved?

8. In civil actions how far is the evidence of a husband as to communications made to him by his wife admissible?

9. What is the test for determining whether a plaintiff and defendant are in *pari delicto*?