

C 35900

**Law School**

MAY EXAMINATIONS: 1897.

SECOND YEAR.

EVIDENCE.

HONOURS.

Examiner: HERBERT L. DUNN, B.A.

1. Upon what principles will the Court enforce or refuse to enforce a foreign judgment?

2. When may a letter written *without prejudice* be used in evidence against the writer?

3. Explain the doctrine of *res judicata* and distinguish its application to (a) judgments *in rem*, and judgments *in personam*.

4. Powell says: "The judges have exercised the right to decide whether notice of the dishonor of a bill has been given within a reasonable time according to the circumstances of the case."

Is the reasonableness of such notice a question for the decision of the Judge in our Courts? Explain.

5. An action is brought against a solicitor for damages for negligence in the performance of certain legal business, and the issue is tried by a judge and a jury. What are the functions of the judge and the jury respectively?

6. Is a person under sentence of death a competent witness? Give reasons for answer and cite any illustrative cases.

7. "Mere personal opinion is not evidence."

State the exceptions to this rule.

8. What statutory exception is there to the rule that it is for the judge to determine whether a document which a witness is required to produce at a trial is privileged or not?

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