

ambiguous, is capable of being construed as an acceptance. A. acts upon the answer as an acceptance. Is he justified in so doing? Why?

4. A negotiation for a compromise is commenced by a letter "without prejudice." Further letters relating to the matter were written, not stated to be without prejudice. The party who writes them objects to these latter letters being used against him. Is he right? Why?

5. A father verbally promises in consideration of his daughter's marriage, to give her a house as a wedding present. Immediately after the marriage he puts the daughter and her husband in possession. The house is not all paid for, and the father dies owing for the house. The daughter and son-in-law claim against the father's estate for the unpaid balance of purchase money. Should they succeed? Why?

6. C. covenants with A., his executors, administrators, and assigns, and to and with B. and his assigns to pay an annuity to A. and his executors during B.'s life. On the death of A., in whom is the right of action? Why?

7. In an action on a breach of covenant for assigning or sub-letting premises without license, what is the measure of damages?

8. Explain fully the limitations of the rule that a witness is not bound to criminate himself.

9. Explain the practice as to the right of summing up the evidence in a case at a Trial.

10. A witness is called, and after answering an immaterial question, his examination is stopped by the Judge. The other party claims the right to cross-examine him. Can he do so? Why?

Criminal and Common Law—Honors.

1. A statute contains a prohibition and a penalty:—Both are contained in one section of the statute; on which must you proceed?

If the prohibition is in one section and the penalty in another, on which can you proceed?

2. How far is the doctrine of a moral insanity, or insanity of the moral feelings while the sense of right and wrong remains recognized in English criminal law?

3. How is a deaf and dumb person to be tried, who is brought up for trial on a capital charge?

4. On an indictment against an accessory, it is proposed to use as evidence against him the confession of the principal. Can this be done? Why?

5. How far is the proprietor of a newspaper criminally liable for the publication of a libel supposing him to have had no part in the publication?

6. By the act of A. an injury is occasioned to the foundations of the house of B., of which B. has not at the time any knowledge, but which afterwards, more than six years from the injurious act, exhibits itself by creating actual mischief to A.'s house. From what time does the Statute of Limitations run? Why?

7. In trespass and assault against two persons, it is asked to sever the damages because the assault is proved to have been committed by one with more violence than the other. Can this be done? Why? What is the proper course?

8. A. and B. are co-sureties. A. verbally promises B. that he will indemnify him. On being sued, he claims that not being in writing, he is not liable. Is he right? Why?

9. When goods are not delivered at the time specified for delivery, what is the measure of damages?

(1) When their place can be supplied in the market?

(2) When their place can not be supplied in the market?

10. A. orders from B. a certain specified patented machine. A. finds that the machine wholly fails to accomplish the purpose for which it was intended, and which it was the expressed object of the patent to effect. On being sued for the price he refuses to pay on those grounds. Should he succeed? Why?

Real Property—Honors.

1. A. and B., husband and wife, hold Blackacre under a grant from C. A judgment is obtained by a creditor of "A", the husband, against him. *Fi. fa.* lands are taken out. Can the creditor at the expiration of the year proceed to advertise and sell Blackacre? Explain.

2. Where there is an agreement for the sale of farm property, which is silent as to the crops, what are the rights of vendor and purchaser in respect thereof?

3. A testator who died last December, devised his house and lot in Toronto to A.; would you, acting for a purchaser, accept title through A.? Reasons for your answer.

4. A bequest is made to A. of \$5,000 to be paid him when he attains the age of twenty-five