

County of Peterborough.

John Elmhirst, of the Village of Apsley, in the County of Peterborough, to be Bailiff of the Fifth Division Court of the said County of Peterborough, in the room and stead of Richard Elmhirst, resigned.

Law Students' Department.

EXAMINATION BEFORE HILARY
TERM : 1892.

CERTIFICATE OF FITNESS.

Hawkins on Wills.

Examiner : M. G. CAMERON.

(1) A devise is made to the children of A., a living person, for their lives as tenants in common with remainder after their respective deaths to their children respectively, and the heirs of the bodies, with cross remainders amongst them. What interest would the children of A. who were born during the lifetime of the testator and those who were born after the testator's death take? Explain.

(2) A makes a bequest to B., and in case of B.'s death to C. What interest would B. or his representatives take

(a) If B survived A.?

(b) If A. survived B.?

(3) A bequest is made to A. in trust for B. during his life, and after his death to pay and divide among his children, C., D., and E. C. and D. die before attaining their majority and during the lifetime of B., and E. survives B. Who take? Explain.

(4) A bequest is made to the children of B., viz., C., D., and E., when the youngest attains twenty-one. C. dies at eighteen and D. dies at twenty-two, and E. attains his majority. Who take?

(5) A. bequeaths to B. \$500 to be charged upon all his real estate. He also specifically devises certain land, a portion of his real estate, to C. Would the land devised to C. be charged with the legacy payable to B.? Would it make any difference if the testator had charged his real estate with not only the legacy, but with his debts? Explain.

Armour on Titles, Statute Law, and Pleading and Practice.

Examiner : M. G. CAMERON.

(1) Define what is meant by a perfect abstract.

(2) When is priority of registration intended to be determined, and explain the duties of the Registrar with respect to registration?

(3) A., being the owner thereof, conveys a parcel of land to B. B. does not register his deed. A. afterwards conveys to C., who registers his deed, but is aware, prior to registration, that B. has executed a quit claim of the property to D., and that D. is in possession. How, if at all, is C.'s title affected? Explain.

(4) Where a deed is executed by an attorney, what should a conveyancer require before passing a title to a property conveyed by the attorney?

(5) What evidence is sufficient to raise the presumption of intestacy?

(6) A. brings an action against B. for slander. The jury give a verdict of \$2,000. B. is dissatisfied with the verdict, and desires a new trial. What steps must he take, and has he any choice of courts?

(7) What is the limit as to the time within which a jury notice in an action must be given?

(8) When, if at all, is a defendant entitled to an order for security for costs on *præcipe*? If entitled at all, draft the form of order to which he is entitled.

(9) A. makes an assignment to B. under the Act respecting Assignments and References by insolvent persons. A meeting of creditors is called by the assignee, and certain of the creditors desire to test the claim of one C., but the majority of the creditors vote down a motion made by those desiring the contestation. What remedy, if any, have the dissatisfied creditors, and what steps must they take?

(10) Is there any, and, if so, what exception to the rule that the costs of and incident to all proceedings in the High Court shall be in the discretion of the court?

Benjamin on Sales.

Examiner : A. W. AYTOUN-FINLAY.

(1) A. & Co., having a quantity of steel rails on hand, offer to B., a contractor, to sell them