

LAW STUDENTS' DEPARTMENT—EXAMINATION QUESTIONS.

4. Under what circumstances can a distress for rent be made upon land in respect of which the rent is not payable and not included in the demise?

5. Sketch shortly, as laid down by Mr. Smith, the duties and liabilities of a Solicitor to his client.

6. What is necessary to constitute a binding acceptance of a bill of exchange? Give reasons for your answer.

7. Under what circumstances will a person making a representation as to the credit of another be liable on such representation? Give reasons for your answer.

SECOND INTERMEDIATE.

Equity.

1. What is the extent of the duty of a mortgagee in possession as to keeping the mortgaged premises in repair?

2. What is a lien? Give an illustration of an equitable lien.

3. What is meant by "the wife's equity to a settlement?" In your answer, shew the grounds for the interference of equity with the legal rights of the husband.

4. Under what circumstances will the Court of Chancery remove children from the custody of their father and place them under the care of a third person to act as guardian?

5. Under what circumstances will inadequacy of consideration constitute a ground for setting aside a bargain, and when not?

6. What is an injunction? What is its object?

7. What is a bill of discovery?

Broom's Common Law and Statutes.

1. Define a writ of "prohibition. To what class of cases is it applicable?

2. What difference is there between the liability (a) of the heir, (b) the personal representative of an obligor where neither is named in the bond?

3. Discuss the question whether a representation can be fraudulent if the person making it have no knowledge of its falsehood?

4. What should be shown by a plea of "no consideration" in an action by the endorsee against the acceptor of a bill? Give reason for answer.

5. In how far does a pawnbroker warrant the title to goods when he sells them merely as a forfeited pledge without further undertaking in regard to them?

6. What statutory provision is made for

the examination of officers of a corporation by judgment creditors of the corporation?

7. Give Mr. Broom's definition of a crime.

CERTIFICATE OF FITNESS.

Equity.

1. State generally the cases in which relief will and in which it will not be given on the ground of accident.

2. Define shortly the law with regard to the right of a person who has made improvements on the lands of another to an allowance therefor (1) before any statutory provisions, (2) since statutory enactment.

3. A trustee for the sale of lands becomes the purchaser himself. His *cestui que trust* on learning the fact files a bill to have the sale declared void; the trustee alleges that he paid the full value of the lands. Is this a good defence to the suit? Give reasons.

4. One of several sureties is obliged to pay the debt to the creditor. What are his rights as regards (a) the creditor, (b) the principal debtor, and (c) his co-sureties, respectively? State fully.

5. Enumerate and explain the cases in which equity will enforce specific performance of a parol agreement for the sale of lands, notwithstanding the provisions of the Statute of Frauds.

6. Upon what grounds does equity interfere to restrain actions at law, and how does it justify this apparent interference with the process of other Courts?

7. Give the rules with regard to the obligation of a purchaser to see to the application of the purchase money, 1st, irrespective of statutory enactments; 2nd, having regard to statutory enactment.

8. Is there any difference, and, if so, what, in the liability of one of the several trustees, and one of several executors for moneys, which are not received by him, but by his co-trustees or co-executors, but for which he joins in giving a receipt? Explain fully.

9. If a defendant desires production of documents by the plaintiff, how can he obtain it: 1st. Where the plaintiff is an individual? 2nd. Where the plaintiff is a corporation?

10. In what cases, and how, can a certificate of *lis pendens* be obtained? What is its effect, and what must be done in order to render it effectual?

CALL TO THE BAR.

Byles on Bills—Stephen on Pleading—Common Law Pleading and Practice.

1. What are "letters of credit" and "cir-