

throws the match upon a pile of shavings, thereby causing a fire, which destroys the house. B. sues A. for damages in respect of this loss. Can he recover? Explain.

2. What degree of common employment is it necessary to show at common law as a defence to an action by a servant against his employer for the negligence of a fellow-servant? Upon what reasoning is this defence upheld?

3. In what classes of cases is slander actionable without proof of special damage?

4. Define the meaning of publication as used in the law of libel.

5. Explain what is meant by the phrase "*Res ipsa loquitur*," as used in the law of negligence. Illustrate by two examples.

6. What is the nature and extent of the liability at common law of a railway company for the loss of a trunk left in their baggage room for safe keeping?

7. What rights, if any, has a landowner in regard to trees on his neighbour's land, the boughs of which overhang his own land, and have done so for twenty years?

8. Can an action for malicious prosecution ever be brought in respect of civil proceedings?

9. What is the difference, if any, between the liability of the owner of a dog for injury to (a) a human being, (b) a sheep? Explain fully.

10. A. has a poisonous yew tree growing on his land, some boughs of which project over into B.'s adjacent field. B. has two horses in the adjacent field, one of which eats from the projecting branches, while the other puts his head over the boundary fence and eats from the part of the tree upon A.'s land. Has B. any remedy against A.? Explain fully.

11. When will a person employing a contractor be liable for his wrongful acts?

12. A., the holder of a life insurance policy for \$2,000, and an accident policy for \$1,500, is killed in a railway accident. An action is brought by his personal representative under Lord Campbell's Act. What effect, if any, has the insurance upon the damages to which A. is entitled?

PRACTICE.

Examiner: M. H. Ludwig.

1. If a defendant has in a proper case taken out the usual order for security for costs, can the plaintiff, under any circumstances, take a step in the action without fully complying with the order?

2. Do the Rules make any provision respecting the right of a defendant to amend his (a) defence, (b) counterclaim without leave. If so, what are they?

3. (a) If a defendant claims to be entitled to contribution or indemnity over against A., who is not a party to the action, how should he proceed, and what must he show to have A. brought before the court?

(b) If A. does not appear and the plaintiff recovers a judgment in the action, how will A. be affected by it?