

LAW STUDENTS' DEPARTMENT.

3. A. goes into a public house and after remaining till closing hours, refuses to leave at the request of the proprietor, is he liable to any and what action, and upon what principle?

4. How far and in what cases is the plea of duress a ground of defence on a criminal trial?

5. A., a police officer, having a warrant for the arrest of B., on a charge amounting to misdemeanor, meets him in the highway, B. resists arrest and runs away, and in the pursuit A. fires his pistol after B. and kills him. Is A. liable to indictment for any, and if any, what offence?

6. Under what circumstances may a man finding *lost* goods and appropriating them to his own use, be indicted for larceny?

EXAMINATION FOR CALL.

Dart's vendors and purchasers—Walkem on wills—Statutes.

1. A testator devised Whiteacre to X. conditionally upon his executors completing the purchase of Blackacre (which in that event was to go along with Whiteacre) within a specified period; but in case the executors "should not be able" to purchase Blackacre then Whiteacre was to go to R. The executors, although "able," neglected to complete the purchase. What are the rights of the respective parties?

2. A vendor sells an estate "with all faults." Can he in all cases enforce specific performance? Explain fully.

3. Does a vendor's solicitor incur any liability by inducing the purchaser through misrepresentation to accept a defective title? Answer fully.

4. What is the rule as to the concealment of advantages connected with the estate by the purchaser from the vendor?

5. At a sale the auctioneer made certain verbal alterations in the conditions of sale. In what condition is the purchaser as to (1) enforcing, and (2) defeating a bill for specific performance with the variation?

6. A testator devises land to A., and if he should die without leaving issue, then to B. What estate does A. take? Explain and mention any recent change in the law.

7. A testator by his will directs all his debts

to be paid out of his personal estate; devises Whiteacre to B. upon which is a mortgage, which the testator has covenanted to pay, and gives the residue of his estate to C. By whom must the mortgage be paid? Give your reason.

8. Land was conveyed to a trustee in fee, and the legal estate vested in him for a purpose which has been accomplished. The trustee dies. In whom does the legal estate vest? Explain.

Equity Jurisprudence.

1. Give illustrations of constructive fraud arising from peculiar fiduciary relations.

2. Give some general rules which illustrate the construction which Courts of Equity have adopted in the case of wills, by a departure from the literal and grammatical import of the words used in the will, in order to give effect to the intention of the testator.

3. Explain and illustrate the doctrines of set-off as administered in equity.

4. Define a trust, and give Lord Coke's description of a use and trust in land.

5. When the personal estate out of which pecuniary legatees are to be paid has been exhausted by creditors, out of what assets and as against what parties are such legatees entitled to be paid?

6. Explain and illustrate what is meant by "remoteness" as affecting a devise under a will?

7. What is the rule with respect to notice to the counsel or solicitor being notice to the client?

8. State in what cases the statute of limitations cannot be pleaded as a defence.

9. Devise of lands in trust for sale and out of the proceeds to pay debts; after payment of debts in full there is a surplus. Who is entitled to it?

10. Has the Court of Chancery at present any jurisdiction to grant relief by way of Mandamus, Prohibition or *Quo Warranto*? Explain fully.

CERTIFICATE OF FITNESS.

Smith's mercantile law—Common law pleading and practice—The statute law.

1. Give a short sketch of the history of English Commercial Law.

2. To what extent will a Court of Equity in-