

LAW STUDENTS' DEPARTMENT.

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We continue the publication of the Law Society's Examsnation Questions :—

SECOND INTERMEDIATE.

Leith's Blackstone, Greenwood on Conveyancing.

1. What portions of the English law are in force in this Province?
2. What is the comprehensive legal signification of the term *land*?
3. What is an advowson, and what are the various kinds?
4. State shortly some of the most notable features of the feudal system.
5. What do *you* understand by the expression in reference to estates in land that holders have not *allodium*?
6. What were the natures of the tenures in knight-service, fee socage and villien socage?
7. Give the rules of descent among collaterals as at common law.

Snell's Equity—Stat. Can., 29 Vict. cap. 28.

1. "*Equity imputes an intention to fulfil an obligation.*" Explain this maxim. What chief doctrines of equity find their places under this maxim?
2. Discuss the question, "What consideration is sufficient in equity to rebut a resulting use?"
3. In how far is the purchaser of the personality of a testator from the executor exonerated from misapplication of the proceeds by the executor?
4. Define reconversion.
5. In what respects does a mortgage of personality differ from a pledge?
6. Under what circumstances will Court of Equity decree specific performance of a partnership agreement?
7. Under what circumstances will Court of Chancery relieve against forfeiture for breach of a covenant in a lease to insure against fire? Give reasons for answer.

EXAMINATION FOR CALL.

Best on Evidence—Smith on Contracts—Blackstone, Vol. I.

1. What are, according to Mr. Est, the chief abuses to be guarded against by the legislator in dealing with judicial evidence?
2. What is the rule at Common Law as to the admissibility in evidence of the husband

and wife of a party to a suit? How is this varied by statute? Explain fully.

3. Discuss the question whether counsel in a cause can be sworn as a witness (a) on behalf of his client, (b) on behalf of the other side.

4. Distinguish as to the effect of self-serving statements made (a) under a mistake of fact, (b) under a mistake of law. By whom may such statements be made?

5. Explain, after Mr. Smith, what is meant by the expression "Policy of the law" as used in connection with the question of validity of contracts.

6. If an agreement entered into between two persons is subsequently avoided on the ground of fraud how will this affect (a) the parties to the agreement, (b) third parties who have acquired rights under the agreement before its avoidance?

7. With what restrictions must the rule be taken that the principal may declare himself and take advantage of his agent's contract made without naming him?

8. A employs B to carry a bale of goods from Toronto to Oshawa, and on the way B sells them to C, who pays for them. Define shortly the rights and liabilities of the various parties.

9. What powers had the Crown apart from statute (1) as to forbidding a subject to leave the Kingdom, (2) as to compelling him to leave?

10. Define the power and jurisdiction of the Parliament of Great Britain according to Blackstone, mentioning any limitation to which it is subject.

Stephen on Pleading—Byles on Bills—Common Law pleading and practice—The statute law.

1. Explain the method by which issues in law are arrived at and tried in our Common Law Courts.

2. What is meant by a *judgment non obstante veredicto*? Under what circumstances may it be obtained? By what other name is it called, and why?

3. To a declaration on an indenture of covenant a plea of release is pleaded and to it a replication of duress. What facts are in issue and what stand confessed on such a record? Refer to any general rules given by Mr. Stephen which are called in requisition in arriving at your answer.

4. What is the rule as to pleading acts valid at Common Law, but regulated as to mode of performance by statute? Illustrate your answer by an example.

5. What is the effect of persons who fill official situations signing promissory notes