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**Law Students' Department.**

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**LAW SCHOOL EXAMINATIONS.****Third Year Pass.**

1. (a) What must a defendant show to bring a third party before the court?

(b) If the third party does not appear, how is he affected by the judgment in the action?

(c) If a third party appears, what rights has he as to delivering pleadings and obtaining order for production, and examination of the original parties to the action? Answer fully.

2. An official referee, to whom an action was referred, finds all the issues in favour of the plaintiff.

(a) What steps must the plaintiff take if he desires to enforce the findings?

(b) If the defendant is dissatisfied with the finding, what course is open to him?

3. A. issued a writ for foreclosure against B.

(a) What other relief may he claim in the same action?

(b) If there are subsequent incumbrancers, what steps must be taken to procure a final order of foreclosure?

4. If a plaintiff discontinues his action, or is nonsuited, or if his action is dismissed for want of prosecution, can he bring a second action for the same debt as was claimed in the first action?

5. (a) When is a pleading demurrable?

(b) When should the defence of the Statute of Limitations be raised by way of demurrer?

(c) If a pleading is demurred to, what course is open to the party whose pleading has been demurred to, and who is willing to submit to the demurrer without having the demurrer brought on for argument?

6. Has the court power to grant relief to a mortgagor who makes default on the payment of an instalment of principal or interest by reason of which the whole principal money becomes due and payable? Answer fully.

7. What cause of action may be joined without leave with an action for the recovery of land?

8. Point out clearly the distinction between a set-off and a counterclaim.

Must a counterclaim be connected with the plaintiff's original cause of action? Answer fully.

9. (a) What defences must be specially pleaded?

(b) If a defendant intends to resist a claim on the ground of fraud, will it be sufficient for him to allege that he was induced to enter into the contract by the fraud of the plaintiff, or must he set out the circumstances from which the fraud is to be inferred?

10. What is the effect of a bare denial of a contract alleged in the statement of claim?

11. If the plaintiff in an action dies, can the action be continued in the