ENGLISH LANGUAGE AND LITERATURE.

1. Write an essay of not less than three nor more than five pages on "The Pleasure and Value of Historical Studies." Pay special attention to both the style and the subject matter of your essay.

2. From what languages are the following words respectively derived:
   Consistency, retention, postpone, churchyard, chivalrous, wasteful, homestead, heliograph, democracy, playhouse and complain?

3. Make a brief analysis of Shakespeare's "Hamlet" and specifically point out those characteristics of the play which most deeply impress you.

4. What occasion called forth Burke's Letter to the Sheriffs of Bristol and what subjects are discussed by him in it?

5. Name some of the most notable authors of the Victorian era and briefly characterize the works of at least two of them.
6. Who were the principal authors, and what are the chief characteristics of the literature of the age of Queen Ann?

7. When and where was Webster's \textit{Reply to Hayne} delivered, and, as an oration, how does it compare with Burke's \textit{Speech On Conciliation With America}?

8. What are the chief excellencies of Nathaniel Hawthorne as a writer of fiction, and who were his most notable literary contemporaries in the United States?

9. What has given to the King James version of the Bible so much distinction as a literary production?

\textbf{ARITHMETIC.}

Solve any three of the following problems:

1. For how much must a four months' note, without interest, be made in order that it may yield $1428.00 when discounted at 5\% per cent.?

2. B., as per order, sold 6122 barrels of flour at $5.23 per barrel, and invested the proceeds in wheat at 92 cents per bushel, retaining $57.00 for expenses, and his commissions, 2\% per cent. for selling and 1\% per cent. for buying. How many bushels of wheat did he purchase?

3. A. purchased a house and lot for $12,000. In order to pay for it in cash he sold 98 shares of P. R. K. stock at $68\% per share, paying 5\% of 1 per cent. commission, and $6000 of U. S. 4 per cent bonds at 120, paying 3\% of 1 per cent. commission. The remainder of the sum derived from these sales, after paying for the house, he invested 7 per cent. preferred stock at 112. How many shares of stock did he buy?
4. A. has $\frac{1}{6}$ of his entire property invested in land, 
$\frac{1}{4}$ of the remainder in business, and $\frac{2}{5}$ of the remainder, 
amounting to $\$2400$, is in the Bank. How much prop-
erty has he?

5. What is the present worth of $\$3600$, $\frac{3}{4}$ due in eight 
months, $\frac{3}{4}$ in one year and the remainder in eighteen 
months, money being worth six per cent.?
Solve any three of the following problems:

1. A had $15,000, part of which he used to build a house. The balance he put out at interest for one year, one-third of it at 6 per cent. and two-thirds of it at 5 per cent. The income from both investments was $320. What was the cost of the house?

2. A cistern has three pipes. The first pipe will fill the cistern in six hours, the second in ten hours, and the three pipes together will fill it in three hours. How long will it take the third pipe to fill it?

3. In the composition of a certain quantity of gunpowder the nitre was ten pounds more than two-thirds of the whole; the sulphur was four and a half pounds less than one-sixth of the whole; and the charcoal was two pounds less than one-seventh of the nitre. How many pounds of gunpowder were there?

4. If a rectangle were 3 inches longer and 1 inch narrower, it would contain 7 square inches more than it
now does; but if it were 2 inches shorter and 2 inches wider the area would remain unchanged. What are its dimensions?

5. A boatman rows 20 miles down a river and back again in 8 hours. He can row 5 miles down the river while he rows 3 miles up the river. Find his rate of speed both down stream and up.

GEOMETRY.

Demonstrate any three of the following propositions:

1. Through three points, not in the same straight line, one circumference, and only one can be drawn.

2. If two polygons are similar, they may be divided into the same number of triangles, similar, each to each, and similarly placed.

3. The radius perpendicular to a chord bisects the chord and the arc subtended by it.

4. Parallel lines comprehended between parallel lines are equal.

5. If the opposite sides of a hexagon are equal and one pair of sides are parallel, the opposite angles of the hexagon are equal.

LATIN.

"State at the beginning of your paper what work you have done in Latin Grammar and Composition, and what portions of the following authors you have read: Caesar, Cicero and Virgil."
A.—Caesar.

Translate Chapter 33, Book II.—

Sub vesperum Caesar portas claudi militesque ex oppido exire jussit, nequam noctu oppidani a militibus injuriam acciperent. illi, ante initio, ut intellectum est, consilio, quod deditione facta nostros praesidia deducturos aut denique indulgentius servatos crediderant, partim cum his, quae retinuerant et celaverant, armis, partim scutis ex cortico factis aut viminibus intextis, quae subito, ut temporis exiguas postulabat, pellibus induxerant, tertia vigilia, qua minime arduus ad nostras munitiones ascensus videbatur, omnibus copiis repentinio ex oppido eruptionem fecerunt.

Celeriter, ut ante Caesar imperaverat, ignibus significatone facta, ex proximis castellis eo concursum est, pugnatumque ab hostibus ita acriter est, ut a viris fortibus in extrema spe salutis iniquo loco contra eos, qui ex valllo turribusque tela jacerent, pugnari debuit, cum in una virtute omnis spes salutis consisteret. Occisis ad hominum milibus quattuor, reliqui in oppidum rejecti sunt.

(a) Decline: illi, cortice, viris.

(b) Explain the mood of: claudi, acciperent, crediderant.

(c) Explain the case of: portas, inito, armis, ignibus.

(d) Give the principal parts of: jussit, facta, jacerent, rejecti.

B.—Cicero.

Translate Chapter V, Third Oration against Catiline:—

Ac, ne longum sit, Quirites, tabellas proferri jussimus, quae a quoque dicebantur datae. Primum ostendimus Ceihego signum; cognovit. Nos linum incidimus; legi—
mus. Erat scriptum ipsius manu Allogrogum senatui et populo, sese, quae eorum legatis confirmasset, facturum esse: orare ut item illi facerent quae sibi eorum legati recepissent. Tum Cethegus, qui paulo ante aliquid tamen de gladiis ac sicis, quae apud ipsum erant deprehensa, respondisset dixissetque se semper bonorum ferramentorum studiosum fuisse, recitatis literis debilitatus atque abjectus conscientia repente conticuit. Introductus est Statilius; cognovit et signum et manum suam. Recitatae sunt tabellae in eandem fere sententiam: confessus est. Tum ostendi tabellas Lentulo et quasivit cognosceretne signum. Adnuit. "Est vero" inquam, "notum quidem signum, imago avi tui, clarissimi viri, qui amavit unice patriam et civis suis; quae quidem te a tanto scelere etiam muta revocare debuit."

(a) Decline: linum, manu, sicis.

(b) Give the construction of: Cethego, manu, senatui, respondisset, conscientia.

(c) Give the principal parts of: cognovit, incidimus, erat.

(d) Give a brief account of the Conspiracy of Catiline.

C.—Virgili.

Translate 482-491, Book III:—

Nec minus Andromache, digressu maesta supremo,
Pert picturatas auri subtegmine vestes
Et Phrygiam Ascanio chlamydem, nec cedit honore,
Textilibusque onerat donis, ac talia fatur:
"Accipe et haec, manuum tibi quae monimenta mearum
Sint, puer, et longum Andromachae testemur amorem,
Contuges Hectorae. Cape dona extrema tuorum,
O mihi sola mei super Astyanactis imago.
Sic oculos, sic ille manus, sic ora ferebat;
Et nunc aequali tecum pubescet aevo."
(a) Give the syntax of: digressu, coniugis, mihi.

(b) Explain the mood of: accipe, testentur.

Or. Translate 464–473, Book IV:—

Multaque praeterea vatum praedicta priorum
Terribili monitu horrificant. Agit ipse furentem
In somnis ferus Aeneas; semperque relinqui
Sola sibi, semper longam inominita videtur
Ire viam et Tyrios deserta quaerere terra.
Eumenidum veluti demens videt agmina Pentheus
Et solem geminum et duplicis se ostendere Thebas;
Aut Agamemnonius scaenis agitatus Orestes
Armatam facibus matrem et serpentibus atris
Cum fugit, ultricesque sedent in limine Dirae.

(a) Give the nominative of: vatum, duplicis, atris.

(b) Give the derivation of: incomitata, agitatus.
OUTLINES OF UNIVERSAL HISTORY.

1. Who were the Phoenicians; during what centuries did they flourish; what was the character of their civilization; what and where were their chief cities; and about when and how were they overthrown or destroyed?

2. Name any four of the principal Grecian cities of ancient times in Southern Italy or in Sicily and give some account of the more interesting and important events in the history of any one of them.

3. What were the chief causes of the decline of Athenian power and influence and when and how did Athens finally lose its standing as an independent city or state?

4. Give some account of the principal events in Roman History during the fifty years immediately preceding the establishment of the empire under Augustus Cesar.

5. Who were the following persons: when and where did they respectively live; and for what is each of them especially noted: Hannibal, Demosthenes, Trajan, Livy, Dante, Goethe, Alaric and Charles Martel?
6. Give some account of any two great events or inventions of the Sixteenth Century A.D., and briefly explain the nature and extent of their influence upon subsequent European history.

7. What part was taken by Lafayette in the earlier events of the French Revolution?

8. When and under what circumstances was the present kingdom of Italy established, and what Italian Statesmen were chiefly instrumental in bringing about this result?

9. Name the several independent states of continental Europe and state what form of government prevails in each of them.

10. What form of government prevails in Australia and what are the political relations of that country to the Kingdom of Great Britain?

**HISTORY OF ENGLAND.**

Give at the beginning of your paper a list of the works on English History which have been read by you.

1. Give some account of the Roman occupation of Great Britain, stating when it began, how long it continued, what were its chief characteristics and by what causes it was brought to an end.

2. About when and how was the Feudal System introduced into England, and in what respects, if at all, did this system as established there differ from the same system as established in France and other European countries?
3. Name in chronological order the Norman Kings of England; state when and how each of them acquired his title to the throne; and give brief accounts of any three events of national or international importance which occurred during the period of their reign.

4. When and under what circumstances did Henry VII become King of England and what were the chief events and characteristics of his reign?

5. During the reign of what English sovereign was Mary, Queen of Scots, put to death, and what were the circumstances that led to her trial and execution?

6. Who were the Jacobites of Great Britain; what was the purpose of their activities; and when did they cease to be of any further importance in the political life of the British people?

7. Who were the following persons; when did they respectively live; and for what is each of them especially distinguished—Sir Edward Coke; Robert Clive; Benjamin Disraeli; Sir Thomas Moore; Thomas Cromwell; Oliver Cromwell, Roger Bacon, Francis Bacon, and Richard Cobden?

8. What are the chief features of Parliament government as it now prevails in Great Britain?

9. About when, under what circumstances and how was negro slavery abolished in the colonies of Great Britain?

10. Briefly describe any great industrial revolution which has taken place in Great Britain since the beginning of the Nineteenth Century.
HISTORY OF THE UNITED STATES.

Give at the beginning of your paper a list of the works on American History which have been read by you.

1. What portions of North America were originally claimed by England, France, Spain and Holland respectively, and about when and where were the principal settlements in this territory made by each of these nations?

2. When and how did France, Spain and Holland respectively part with or lose their claims to any part of the territory now within the boundaries of the United States?

3. Why was the tax upon tea so firmly opposed by the English Colonies in America, and what steps were taken in the respective colonies to effectually prevent the public recognition and the payment of such a tax?

4. When and where was the battle of Monmouth fought; what were its results; who were in command of the respective armies; and what were the previous movements and events which brought on the engagement?
5. What was the purpose of the Declaration of Independence; by whom was it prepared; by whom and when was it adopted and signed; and what are its principal declarations, assertions or announcements?

6. When, where, under what circumstances and with what results did the last battle of the Revolutionary War take place?

7. What were the political, commercial and financial conditions which led to the calling of a convention to frame a constitution for the United States; by whom was this convention called; when and where did it meet; who was its president; and who were its most active and influential members?

8. What were the causes and events which led to the War between Mexico and the United States; when did this war take place; and what were its principal results?

9. Give some account of any one of the great battles of the Civil War of 1861-65, stating when and where it was fought; who were in command of the respective armies; and what were the purposes and the results of the campaign from which it arose.

10. Name, in due chronological order, the several Presidents of the United States, and give a brief account of some event in the respective administrations of three of them, which you deem of great national or international importance.

MODERN GEOGRAPHY.

1. Describe any three rivers of the Atlantic Seaboard of the United States, stating where they rise, through what states and in what directions they flow, and what cities are situated on or near their banks.
2. Briefly explain the causes which give rise to the changes of season in the temperate zones of the earth.

3. Briefly describe the principal mountain ranges and rivers of Pennsylvania, and explain their relation to the natural drainage areas of the State.

4. Name and describe any two or more of the great mountain ranges of the earth outside of the United States, giving their location and trend, and briefly explaining their relation to the drainage areas of the countries in which they are located.

5. Where are the following cities and for what is each of them especially noted: Tokio, Vienna, Milan, Bombay, Copenhagen, Hamburg, and Lisbon?

6. Briefly describe the Mediterranean Sea, giving its approximate length and breadth, and naming the countries which border upon it.

7. State about when the Erie Canal was built, and briefly explain why it was a work of great commercial importance to the United States and especially to the City of New York.

8. Give a brief account of the location, extent and relative importance of some of the great wheat producing districts of the earth.

9. Describe the water approaches to any three cities on the Pacific Seaboard of the United States.

10. Give some account of the great natural resources of Pennsylvania and of Great Britain.
PENNSYLVANIA STATE BOARD OF LAW EXAMINERS.

FINAL EXAMINATION, JULY 6th, 1911.

Morning Paper—9 A. M. to 1 P. M.

1. B., a manufacturer of shoes in the City of Y., delivered to the X. R. R. Co., on the order of A., ten cases of shoes consigned to A., in the City of Z. Upon their arrival in Z. the shoes were placed by the X. R. R. Co. in its warehouse and A. was notified of their arrival. The next day C., a judgment creditor of A., caused the goods to be attached in the warehouse under a writ duly issued summoning the X. R. R. Co. as garnishee. Thereafter B., learning that A. was insolvent, telegraphed the X. R. R. Co. to hold the shoes, subject to B.'s order and not to deliver them to A.

What are the respective rights of B., C., and X. in respect to the shoes, and by what proceeding can this question be brought into court for judicial determination?

Give the reasons for your answer.

2. Name the several courts, both Federal and State, exercising either appellate or original jurisdiction within the State of Pennsylvania, and give a brief outline of the jurisdiction of each of them.

3. A. died intestate possessed of both real and personal property and leaving to survive him a widow; one brother; a nephew, and a niece, the children of a deceased sister; and one grandnephew, the grandchild
of a deceased brother. The surviving brother of A. comes to you for professional advice, stating that he comes on behalf of the widow of A., who desires him to act as sole administrator of A.'s estate and see that it is properly settled, and duly distributed amongst all parties entitled to share therein. Enumerate and briefly describe the successive steps which must be taken by you, or by the brother of A. under your advice, for the full and orderly settlement of this estate, and what proportional interest, if any, each of the above-mentioned parties has in either the personal or real estate left by the deceased.

4. In an action by B. against the X. R. R. Co. to recover damages for personal injuries received by him while in the employ of said Company, it appeared from the evidence that, while in the performance of his duties as brakeman, B. was brushed off the side of a moving car by another car standing on a switch at a point not past the danger post beyond which all cars were required to be placed, and that the car had been left in this position by the regular crew in the employ of the company consisting of an engineer, a fireman, a conductor and brakeman. The jury found a verdict for the plaintiff in the sum of $5000.

On motion duly made by the defendant for judgment non obstante veredicto, what should the action of the Court be?

Give the reasons for your answer.

5. What are the provisions of the statutes of Pennsylvania in respect to bequests and devises for religious and charitable uses?

6. B. was sued by A., the owner of a dwelling house adjoining B.'s works, for damages caused by the noise and vibrations produced in the operation of B.'s machinery. B. demurred to the statement filed in the case by A. on the ground that it contained no allegation of
negligence on the part of B. in the operation of his machinery.

Should or should not this demurrer be overruled?
Give the reasons for your answer.

7. On January 3d, 1901, A. leased from B. for a term of five years a store on X Street in the town of Y. for $200 per month. On July 9, 1902, the premises were sold by the sheriff to C. on an execution against B. under a mortgage made and recorded May 3d, 1898. The sheriff's deed was acknowledged October 2d, 1902, and immediately thereafter C. served upon A. a notice to quit. A. left the premises on January 2d, 1903, and soon thereafter died.

What if any claim has C. against A.'s estate and how should he proceed to have it judicially ascertained?
Give the reasons for your answer.

8. A. agreed by parol to sell a certain lot of ground to B. for $500 and B. was to give his note for the purchase money upon delivery of the deed to him. B. took possession of the lot with A.'s assent and erected thereon a house and other buildings which he continuously occupied as his home. A. never delivered the deed nor did B. ever give his note for, or pay any part of the purchase money. Subsequently A. sold the lot for $800 to C., who paid the purchase money and received a deed for the premises. The property was afterwards sold by the sheriff to D. under a judgment in his favor against B. upon a mechanic's lien for materials furnished for the buildings thereon erected.

What are the respective rights of C. and D. in relation to this property, and how can they be judicially determined?
Give the reasons for your answer.

9. State the rule in Shelly's Case, and give a brief explanation of its origin and purpose, together with one or more concrete examples of its application.
10. B. committed a forgery when the limitation of prosecutions for forgery was two years. Before this period had elapsed an Act was passed by the Legislature, providing that thereafter "the offense of forgery whether the same be a misdemeanor or a felony, shall not be barred by the statute of limitations when the indictment therefor shall be brought or exhibited within five years next after the offense has been committed." Two years later, B. was indicted for forgery and pleaded the statute of limitations as a bar to the prosecution.

Was or was not this plea a good defense?

Give the reasons for your answer.

11. In an action by A. against the X. Brewing Company to recover damages for personal injuries, it appeared from the evidence that the plaintiff was injured by being run over by a beer wagon of the X. Company negligently driven by one of its employees. By way of defense, the defendant offered to prove by the driver of the wagon that just before the accident happened he had unloaded a barrel of beer, and had undertaken to tap it, as he was instructed to do for all of the company's customers; that in doing this he had broken a wooden faucet, when the saloon keeper to whom he was delivering the beer, asked him to go to a store six blocks away and buy a new faucet, giving him the money to pay for it, and that in driving rapidly on this errand he ran over and injured the plaintiff.

The trial judge admitted the testimony, and also instructed the jury that, if they believed it to be true, they should find a verdict for the defendant.

Was there error either in the admission of the testimony or in the instruction to the jury?

Give the reasons for your answer.

12. Enumerate the several kinds of incorporeal Hereditaments known to the common law, briefly explain the nature and incidents of each of them, and state which of them are now recognized by the laws of Pennsylvania.
PENNSYLVANIA STATE BOARD OF LAW EXAMINERS.

FINAL EXAMINATION, JULY 6th, 1911.

Afternoon Paper—1 P. M. to 6 P. M.

13. A. by her last will and testament gave and bequeathed to her husband, A., all her personal property remaining after the payment of her debts and administration expenses. Her real estate she devised to charitable uses. B. duly elected to take under the will. Afterwards it was determined in proceeding brought by A.'s heirs that the devises to charity were void. B. then claimed the real estate as tenant by the curtesy for his lifetime and went into possession.

Is B.'s claim good or not, and how can this question be brought into court for judicial determination?

Give the reasons for your answer.

14. A. and B. were partners doing business under the firm name of A. & Co. B. sold out his interest in the firm to A. who agreed, inter alia, to pay all the firm debts and to give security to B. for the faithful performance of this agreement. C. agreed in writing to guarantee and hold himself responsible for the faithful performance of the contract on the part of A. D., a firm creditor afterwards obtained a judgment against A. & Co. but failed to collect it on execution.

Can he now recover against C. on his agreement of guarantee?

Give the reasons for your answer.
15. Describe the proceedings when personal property levied upon by the sheriff, is claimed by another person than the defendant, enumerating in succession all the steps to be taken by any of the parties from the notice of claim to the final determination of their rights by the court.

16. What is required to make a good service (1) of a writ of summons, (2) of a writ of foreign attachment when the sheriff is directed to attach money due by a corporation to the defendant?

17. B. & Co., a firm composed of the co-partners B. & C., bought goods during a period of years from A., who, however, dealt exclusively with B. and did not know that C. was the other member of the firm. In 1908, B. & C. dissolved the partnership but B. continued to carry on business under the old name of B. & Co. and still purchased goods from A. as before which were charged to B. & Co. by A. who had no actual knowledge of the withdrawal of C. In 1910 B. became insolvent and died still owing A. $5000 for goods sold to B. & Co. since C's withdrawal.

Is C. liable to A. for this amount in an action brought against him as the surviving member of the firm for its recovery?

Give the reasons for your answer.

18. The X. Real Estate Company was incorporated under the Corporation Act of 1874, and A. one of the incorporators, was recorded in the incorporation certificate as a subscriber for 100 shares of the capital stock. It was however, agreed between the other incorporators and A. that he was to take only five shares of the stock and that the rest of his subscription was to be treated as "Treasury stock" belonging to the Company itself. This understanding was afterwards ratified and approved at a meeting of the stockholders held subsequently to
the incorporation of the Company. A. duly paid for and afterwards sold his five shares of stock to C. and thereafter ceased all connection with the Company.

Is A. liable or not to the Company for the balance of the 100 shares, and in case of the company's insolvency how could a creditor thereof proceed to have this question judicially determined?

Give the reasons for your answer.

19. A. purchased a piece of land on January 2d, 1904, on which he gave a purchase money mortgage for $2000. On March 1st, 1904, B. obtained a judgment against A. for $100. On December 1st, 1904, A. executed a second mortgage on the land for $1000. On March 1st, 1905, C. obtained judgment against A. for $500. On July 1st, 1906, under an execution on the judgment of C., the land was sold by the sheriff to D. for $700.

Subject to what encumbrances, if any, was the property taken by D., and how should the fund realized at the sale be distributed by the sheriff?

Give the reasons for your answer.

20. A., to whom B. was indebted in the sum of $10,000, gave B. a receipt for $5000 in full payment and satisfaction of all indebtedness whatsoever. B. showed this receipt to C., with whom he was negotiating for the sale of the stock and good will of the business conducted by him. C. purchased the stock and business, and thereupon announced that he had assumed and would pay all of B's. debts.

A. thereafter brought an action against C. for the recovery of $5000, the balance of the debt due him by B.

Can he recover, or not?

Give the reasons for your answer.

21. A. purchased from B. several cases of goods, giving therefor to B. his promissory note for $3000 at four months. Part of the goods were immediately
delivered to A. The rest remained in the warehouse of B. A. became insolvent and made an assignment for the benefit of creditors, whereupon B. declined to deliver the rest of the goods, and subsequently sold them in the market for $2000 which amount he applied to the reduction of A.'s debt for the goods. He now claims from A.'s estate a dividend upon the full amount of the note for $5000, from which, if his claim is allowed, he would receive exactly $3000.

What disposition should be made of his claim?
Give the reasons for your answer.

22. Enumerate the several actions at common law in Pennsylvania, before the enactment of the procedure act of 1887, and briefly explain the nature and scope of each of them.

23. A. died intestate, seized of a lot of ground and dwelling house in the City of Y., and leaving to survive him his widow and one brother, B. There were no debts. The funeral expenses were paid by the widow, who continued to live in the house with her own niece, D., for 27 years without question or disturbance by any one or the payment of rent. At her death, intestate, in 1910, the lot and house were claimed by D. who remains in possession thereof, and, also, by B.

In whom is the title legally vested, and how can this question be brought into court for judicial determination?
Give the reasons for your answer.

24. Draw a bill in equity by A. against B. for the specific performance of a contract for the sale of a house and lot, supplying the term, number and court and all other particulars necessary to make the bill complete both in substance and in form.
25. At a judicial sale of the franchises and property of the X. R. R. Co., the same were bought in for $10,000 by a committee of the bondholders, creditors and stockholders of the X. Co., under an agreement which provided for the organization of a new company with mortgage bonds and preferred and common stock to be issued in agreed upon proportions to all the bondholders, creditors and stockholders by whom the agreement was signed. B., a judgment creditor of the X. R. R. Co. in the sum of $200,000, did not sign the agreement, but, after the incorporation of the new company and the issue of its bonds and preferred and common stock to those who had signed the agreement as therein provided, claimed that he was entitled to recover from the new company the whole or a fair percentage of the amount due him by the X. R. R. Co. whose property and franchises had been purchased by the Committee and turned over to the new company for the benefit of the old company's creditors, bondholders and stockholders.

What are the rights of B. and how can he proceed to have them judicially determined?

Give the reasons for your answer.

26. Explain and illustrate the meaning and application of the following terms: *ultra vires*, Subrogation, Equitable lien, *Res inter alios acta*, Specific performance, Equitable Conversion, Warranty and *Caveat Emptor.*
27. A. gave to B. a duly executed power of attorney to buy and sell stocks and bonds, to collect interest, &c., with a power to substitute another or other attorneys in his place and stead for these purposes. B. duly substituted C., and soon thereafter died. Subsequently C. transferred, without the knowledge of A., certain stock standing in the name of A. on the books of the X. Company, surrendered the certificates therefor, and absconded with the proceeds thereof.

What, if any, remedy has A. for the recovery of his stock?

As counsel for him, what course will you advise him to pursue?

Give the reasons for your answer.

28. B., who was a creditor of C. in the sum of $10,000, and held a policy of insurance on C.'s life for that amount, finding it inconvenient to continue the payment of the premiums on the policy, made an arrangement with the insurance company under which the policy was surrendered and a paid-up policy for $4000 was issued to and accepted by B. in lieu thereof. At the time of this transaction C. was absent from the country, and, so far as known to both B. and the insurance company, was still living, whereas he had, in fact, been dead for ten days then past.

As counsel for B., what advice will you give him as to his rights against the insurance company, and what course will you pursue to have these rights judicially determined and enforced?

Give the reasons for your answer.

29. What is the end sought to be attained by the pleadings in an action at common law and what are the principal rules of pleading which were directed to the attainment of that end?

30. A. has obtained judgment against B. in the County of X. for $2000. B. has no property in the County of
X., but owns both real and personal property in the County of Y.
How can A. obtain satisfaction of his judgment from B.'s property in the County of Y.?
Give each successive step in the method of procedure adopted by you.

31. A., an illegitimate son of B., was about to leave B. to learn a trade. when B. told him to stay and work the farm until he became of age, when he. B., would give him $500. A. did remain and work the farm until of age, being maintained and educated by B. during that time.
Can he recover in an action against B. for the $500?
Give the reasons for your answer.

32. A. was agent for B. for the sale of sewing machines. On a settlement between them, it was found that A. was indebted to B. in the sum of $1200, for which he proposed to give B. his note, endorsed by C. B. agreed to take the note so endorsed, and A. accordingly drew up the note payable to B. and procured its endorsement by C. by representing to him that it was to be given for a number of sewing machines to be delivered to him. A., by B.
In an action by B. against C. on this note, what, if any, defense can be made thereto by C. Is B. entitled to recover?
Give the reasons for your answer.

33. Briefly discuss the origin, the nature and the requisites of the Contract of Insurance.

34. Explain and illustrate the distinction between presumptions of law and presumptions of fact.

35. A.'s house was entered and robbed in his absence. He was sent for and informed of it, whereupon, accom-
panied by B., he pursued and overtook the guilty men, C. and D., charged them with the crime, and took hold of C. to effect his arrest, when C. told D. to shoot both of their pursuers. D. shot and killed A. and both C. and D. beat and wounded B.

On the trial of C. and D. for murder, the Court refused to charge as requested by the defendants, that A. and B. had no right to arrest C. and D., and that the killing of A. was manslaughter only. There was a verdict of guilty of murder in the first degree.

Was there error in the refusal of the Court to charge as requested?

Was the verdict justified by the facts above stated?

Give the reasons for your answers.

36. Give a short account of the circumstances which gave rise to the practice in Pennsylvania of administering equity principles under common law forms of procedure, together with two or more illustrations of the manner in which equitable rights were, and still are, enforced in this State through the medium of common law actions.
37. C. lived on a farm with her father and mother, performing household work and taking care of her parents, both of whom were old and feeble. Subsequently she married D., who lived in the house as a hired hand, and she and her husband continued with the family as theretofore for five years, during which time she served her parents in the same manner as before her marriage. Her mother then died and shortly afterwards also her father, by whose will she was given an equal share in his estate with the other children who had long been absent from home. She now claims wages for five years as a domestic servant and for nursing her parents in their last illness.

Can she recover on the facts as above stated, and how should she proceed to have the question judicially determined?

Give the reasons for your answer.

38. If an administrator finds that the personal property of his decedent is insufficient for the payment of debts, what are the steps to be taken by him in order to raise funds from the real estate for such purpose?

39. A. leased from B. a farm, and resided thereon with his wife, C. A. having fallen in arrears for the
rent, B. issued a landlord's warrant, and levied a
distress upon the separate personal property of C. found
by him upon the demised premises. To secure the re-
lease of her property, C. gave to B. her individual note
for the rent then due, and, having failed to pay this note
at maturity, B. now sues her thereon in assumpsit.
Can he recover, or not?
Give the reasons for your answer.

40. A. wrote to B.: "I will take 400 bushels of wheat
at seventy-five cents, F. O. B. Chicago." B. believing
that he had only 300 bushels, immediately wrote in
reply: "Will send you 300 bushels at the price named."
After mailing this letter, B. discovered that he had
wheat enough to fill A.'s order for 400 bushels, and tele-
graphed to A. that he would ship that quantity to him.
B.'s letter was delayed in the mail, and did not reach A.
until after the telegram had been received by him. In
the meantime, wheat having fallen in price to sixty
cents, A. bought of another firm and refused to take the
400 bushels from B. which had been forwarded to him.
What are the rights of the parties, and, as counsel for
B. what will you advise him to do?
Give the reasons for your answer.

41. Give a brief summary of the rules of law by which
it is determined whether the property in a specific
chattel has passed to the vendee in a contract of sale.

42. A. and B. formed an equal copartnership with
each other under the firm name of A. & Co., which con-
tinued for some years until 1903, when it was dissolved
by mutual consent. Amongst the outstanding assets of
the firm at that time was an overdue account of $10,000
due by C., who was unable to pay. With a view of
realizing on this claim A. and B. purchased the farm of
C. at a judicial sale, each of them paying one-half of the
purchase money and taking title in their joint names.
Some time afterwards A. obtained and accepted an offer of $12,000 for the farm, but, concealing this from B., succeeded in purchasing B.'s undivided half interest in the farm for $3000. A. received the whole of the $12,000 and thereafter died.

Is B. entitled to any portion of the $12,000, and by what proceedings can this question be judicially determined?

Give the reasons for your answer.

43. Define the term Title, and briefly explain the several modes in which Title to Things Real may be acquired at common law.

44. Explain the nature of a mortgage at common law, and give a brief history of its development as a security for debt down to the present day.

45. A. purchased from B. a certain lot of ground, went into possession, made valuable improvements, paid the purchase money in full, and accepted a deed, which, by mutual mistake, described and conveyed another lot than that taken possession of by A. Upon discovering the mistake, B. brought an action of ejectment against A. to recover the lot which A. had improved.

What, if any, defense can A. make to this action, and in whose favor should judgment be given, and upon what grounds?

46. Give concise definitions of the crimes of Treason, Murder, Perjury, Robbery, Bribery and Embezzlement.

47. A. died intestate leaving to survive him three minor children. B. was tenant of A.'s farm under a lease from A. at the time of the latter's death. A. was indebted to C. D. was appointed administrator of A.'s estate and soon thereafter renewed the lease of the
farm to B. for the term of two years and entered into an agreement with B. and C., whereby B. was to pay the rent to C. as it fell due in full satisfaction of his claim against A.'s estate. This agreement was performed by the parties and all rent for the term paid by B. to C. Afterwards B. was appointed guardian for the minor children of A. and brought suit against B. for use and occupation of the farm from the time of A.'s death.

Can he recover or not?
Give the reasons for your answer.

48. What constitutes the record of a case at common law; and, upon the trial of such a case, how can the action of the trial judge in rejecting or admitting evidence be made a part of the record for the purposes of review by an appellant tribunal?