

Tagore Law Examination.

1911.

MERCANTILE LAW AND USAGE, INCLUDING SALE OF GOODS.

Examiner—C. O. REMFRY, ESQ., Bar.-at-Law.

N.B.—Only SIX of the following questions are to be answered; and the first six answers only will be considered.

1. What Law governs mercantile transactions in British India ?
2. What is the Law Merchant ?
3. *A* buys certain goods from *B* and obtains delivery orders for them on *C*, terms cash on delivery. *A* sells the goods to *D* for cash and makes over the delivery orders to him. *D* knew that *B* had not been paid. *B* orders *C* who has not heard of *A* or *D* to deliver only for cash. *D* sues *B* for the goods. Argue the case first for *B*, then for *D*.
4. *A* buys goods from *B* on 3 months' credit to be sent to Calcutta by rail. *A* obtains the railway receipts and has to pay the freight. On arrival a few days after the sale, the railway unload the goods, and *A* claims them: he pays freight for part of the goods and that part is loaded into his carts. Before the carts leave the station yard, the railway detain them as *B* has ordered them to stop delivery. *A* tenders the freight due for the rest. Assuming *A* is insolvent, advise the railway as to their position.
5. *A* having bought 10 tons of oil out of 100 tons stored in bulk with *B*, sells his 10 tons to *C*, cash on delivery, *C* to weigh the oil. After part delivery, the rest is destroyed. On whom does the loss fall? Can *C* sue for non-delivery ?
6. *A* buys goods on credit from *B* to be shipped to Calcutta. *B* is doubtful as to *A*'s solvency. Advise *B* as to the best method of protecting his interests. If *A* is to send his own ship for the goods does that alter the position ?
7. *A* has sold goods to *B*. *B* has not paid for them and does nothing further. Advise *A* as to his position (1) if the goods are ascertained, (2) if they are not.
8. Under what circumstances has a seller of goods a lien ?