

**UNIVERSITY COLLEGE LONDON**

University of London

**EXAMINATION FOR INTERNAL STUDENTS**

For The Following Qualification:-

*LL.B.*

**LL.B. Part II: History of English Law**

COURSE CODE : **LAWSII03**

DATE : **21-MAY-04**

TIME : **10.00**

TIME ALLOWED : **3 Hours 15 Minutes**

## HISTORY OF ENGLISH LAW

Answer **FOUR** questions.

1. How dependent were the legal reforms of Henry II upon the work of juries for their implementation and effectiveness?
2. What factors led to the creation of a distinct jurisdiction in the Chancery with its own system of rules of Equity?
3. What jurisdictions existed in England in addition to the royal courts at Westminster in the mediaeval and early modern periods? What effect did they have upon the Common law?
4. Account for the slow development of a comprehensive system of appeal against decisions in the Common law.
5. "As the importance of services diminished, so the burden of incidents of tenure increased."

Why was this so and what were the consequences in legal terms?

6. What remedies were developed in the Common law for the protection of terms of years and what use was made of them for the securing of other interests in land?
7. "A trust is the same that an use was before 27 Hen 8 and they have the same parents, fraud and fear; and the same nurse, a court of conscience." (Counsel in *Att.-Gen. v Sands* (1668))

Discuss.

8. What remedies existed in the early Common law for the enforcing of agreements? Why did they fall into disuse?
9. "Trespass was originally part of what we would now classify as criminal law and the unsuccessful defendant was punished for his transgression: it was the merest chance that it became the basis for much of the modern law of tort."

Discuss.

10. "Consideration, in the sense of reciprocity, has been for centuries the linchpin of the English law of contract." (Ibbetson)

What were the origins of the doctrine of consideration and what difficulties did the doctrine encounter in the eighteenth century?

**END OF PAPER**