

Total number of printed pages-4

21 (4) LGWR 4-1

2018

**ENGLISH LITERATURE, LEGAL
WRITING, LEGAL TERMS, MAXIMS,
LEGAL CITATIONS ETC.**

(New Syllabus)

Paper : 4-1

Full Marks : 80

Time : Three hours

***The figures in the margin indicate
full marks for the questions.***

1. Fill in the blanks : $1 \times 10 = 10$
- (a) According to _____ "Human Language is a result of divine gift". (Aristotle/Plato)
- (b) The term 'language' has its origin from the Latin word 'Lingua' which means 'tongue'. (True/False)
- (c) The writ of _____ provides remedy for a person wrongfully detained or restrained. ('Mandamus'/'Habeas Corpus')
- (d) _____ means a case or suit which is already decided. ('Res judicata'/'Res sub judice')

Contd.

(e) The term 'inter vivos' means transfer between two _____ persons. (living/non-living)

(f) Legal writing is also called drafting.
(True/False)

(g) Judgment in _____ means judgment against a particular person. (personam/rem)

(h) _____ is the author of the prose piece "Educating Lawyers for a Changing World." (Felix Frankfurter/Erwin N. Griswold)

(i) There are _____ number of phonemes in the English language. (forty-four/twenty-four)

(j) Sounds that are articulated with a structure of complete oral closure are called _____ sounds. (nasal/oral)

2. Answer the following questions : **(any five)**
5×2=10

(a) What is meant by legal language?

(b) What is meant by legal citation? Give an example.

(c) Mention two duties of a lawyer.

(d) Explain the maxim — "Ubi jus ibi remedium".

(e) What is meant by vowel sounds and consonant sounds?

(f) What is meant by word-accent?

(g) What is meant by intonation?

3. Explain the characteristics of legal language.
12

OR

Trace the history and significance of legal language.

4. What is 'sale' as per the Transfer of Property Act, 1882? What are the essentials of a valid 'sale'?
6+6=12

OR

What are the conditions of liability in tort? Distinguish between Tort and breach of contract.
6+6=12

5. What is meant by the term 'organs of speech'? Explain the articulation of 'any four' Plosive consonants in English.
4+8=12

OR

Write short notes on : **(any two)** 6×2=12

(i) Syllable

(ii) Word-accent

- (iii) Fricative consonants
(iv) Phonetic transcription.

6. What is the nature of advice given by Felix Frankfurter to the young men interested in going into law? Explain its significance in your own words. $4+8=12$

OR

Discuss the central idea of the prose-piece "Educating Lawyers for a Changing World".
12

OR

Justify the title of the prose-piece "A Plea for the Severest Penalty upon his Conviction for Sedition".
12

7. Explain the following legal maxims : (*any three*) $4 \times 3 = 12$

(a) "Affirmanti non neganti incumbit probatio".

(b) "Ignorantia facti excusat, ignorantia juris non excusat".

(c) "Ex turpi causa non oritur actio".

(d) "Salus populi est suprema lex."

(e) "Nemo debet bis puniri pro uno delicto".