

SCHOOL SITE, CHANGE OF.

See "Specific Performance," 5.

[SELECTION OF.]

See "Orchard or no Orchard."
"Public School Trustees."

SCHOOL TRUSTEES.

See "Specific Performance," 5.

SEQUESTRATION.

See "Injunction," 1.

SETTING ASIDE SALE.

See "Tax Sale."

[UNDER DECREE.]

See "Practice," 7.

SIMILARITY OF CLAIM.

See "Patents."

SPECIFIC PERFORMANCE.

1. *C.* the owner of real estate promised his brother *A.* that if he would abandon his intention of leaving this Province, and remain and support their mother and sister, he (*C.*) would convey him a portion of the land on which *A.* was then residing and assisting in their support. In consequence of such request and promise *A.* did remain, and assumed the whole charge of the support of his mother and sister:

Held, overruling the decision of the Master, that this was a sufficient part performance to take the case out of the Statute of Frauds.

McDonald v. McKinnon, 12.

2. One of the parties executing an agreement was, to the knowledge of all interested, under age at the time of the agreement.

Held no answer to a bill by the infant after attaining twenty-