

C 35912

Law School.

MAY EXAMINATION: 1897.

SECOND YEAR.

REAL PROPERTY.

HONOURS.

Examiner: EDWARD BAYLY.

1. A tenant allowed the demised premises to become dilapidated contrary to his covenant to repair. The landlord brought an action for ejectment, claiming forfeiture under a proviso for re-entry for non-observance of covenants and all rent payable under the lease until judgment. What defences has the tenant? And what relief is the landlord entitled to?

2. A mortgagor after executing the mortgage demises the property for a term of years and afterwards makes default in payment. State clearly the relative positions of mortgagee and tenant.

3. Give examples of *resulting, springing and shifting uses*.

4. By a deed dated 24th April, 1897, land is granted to A., without words of limitation; *habendum*, to the said A., for 21 years. What estate does A. take? Explain.

5. By deed dated 25th day of April, 1897, A. grants land to B. and his assigns in fee. What estate does B. take? Explain.

6. What is an estate upon condition? Give instances of conditions precedent and subsequent, and state their effects upon the estates to which they are annexed.

7. A landlord conveys one-half of the demised premises to A. and the other half to B. The tenant then assigns without leave and contrary to a covenant against so assigning. What remedies have A. and B.?

8. A., a mortgagor, in writing waives his right to examine the title deeds in the possession of the mortgagee. A. conveys the equity of redemption to B. B. demands to be allowed to inspect the deeds, and the mortgagee refuses permission, calling attention to A.'s agreement. State B.'s rights fully.

9. What instruments can be registered under the Registry Act without the affidavit of a subscribing witness?

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