

9. Is taking possession of property by purchaser a waiver of title? Explain.

10. "A." gets his solicitor to draw up a will when in Toronto; this he leaves with a friend and proceeds to Manitoba. When there he writes to his friend to burn the will, which is done. Is this a good revocation of the will? Explain.

### *Equity.*

1. A. and B. are partners in a mercantile concern. C. recovers a judgment against B. for a separate debt due him by B. What are the rights of a purchaser at sheriff's sale of B.'s interest in the firm? Explain fully.

2. Is possession of a property notice as against a registered title, if so, why? if not, why not?

3. A bequest to the Rector of St. James' Church, Toronto, for such charitable purposes as he may think proper. Is this good?

A testator leaves \$5,000 to be invested for the poor of Toronto, naming B. his executor. B. dies during the testator's life, and no other executor is appointed. How can the fund be dealt with?

4. An executor desires to administer his testator's estate and distribute the residue without coming into court, how can he protect himself against the claims of creditors of which he has no notice?

5. Will a Court of Equity in any, and if so, in what case, decree specific performance of an agreement to enter into a partnership?

6. Distinguish between the duty of disclosure as to facts in cases of persons applying for policies of insurance, and those of creditors seeking to obtain a surety for the payment of a debt or performance of a contract.

7. What is a writ of arrest? Under what circumstances will the same be granted in this Province?

8. Where in an agreement a penalty is inserted for non-performance, can one of the parties elect to pay the penalty, where the other insists on performance? Explain.

9. In what way should a trustee having charge of trust funds act so as to provide against liability in the event of the failure of his bankers?

10. A., a resident of Toronto, dies there, letters of administration are taken out in Toronto, and A. having left property in New York

State, auxiliary letters are taken out there. What law governs as to the distribution of the assets there? Suppose there be a residue as to the foreign property after all claims paid, how can such residue be dealt with?

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