

OLD DEEDS.

See "Quieting Titles Act," 5.

OPENING FORECLOSURE.

See "Mortgage," &c., 1.

PAROL EVIDENCE.

See "Specific Performance," 1, 2.

PAROL.

[GIFT BY.]

See "Gift by Parol."

PAROL PROOF OF TRUST.

See "Trust proved by Parol."

PARTIES.

1. To a suit by a second incumbrancer, to redeem the prior incumbrancer, the owners of the equity of redemption are necessary parties.

Long v. Long, 239.

2. The plaintiff was execution creditor of one *S*, who became a mortgagee of the premises in question. To a suit instituted by a prior mortgagee the plaintiff was not made a party :

Held, that the plaintiff's position as execution creditor of *S* was that of a derivative mortgagee *in invitum*, and as such he ought to have been made a party to the suit by the prior incumbrancer.

Darling v. Wilson, 255.

See also "Patent, Repealing," 2.
"Pleading," 5.

PARTITION AGREEMENT.

The adult co-heirs of an estate agreed to a partition, and bound themselves to execute quit claims to carry it out as soon as the minors came of age and united therein : some of the