

Examination Questions, 1894.

EQUITY.

(Second Examination, 1894.)

Time, 2 hours.

HON. A. L. PALMER, *Examiner.*

1. What is an equitable assignment? On an assignment of chose in action, is notice to the debtor necessary for any and what purpose?
2. On what maxim of equity does the doctrine of conversion depend? State the doctrine.
3. When may mortgages be consolidated? When tacked? What is the Provincial law on each point?
4. What is meant by "clogging the equity of redemption?" Refer to a case.
5. What is separate estate, and how is it created? What are the powers of a married woman over such estate? Need a conveyance, if of real estate, comply with the Registry Act?
6. Upon what principle do the engagements of a married woman bind her separate estate? and what separate estate is bound?
7. To what extent is a trustee liable for the default of (1) a co-trustee; (2) of an agent or banker?
8. When does a resulting trust arise?
9. What are the disabilities of the trustees with reference to the purchase of the trust estate?
10. To what extent can trust property be followed? Is there any difference between property held strictly in trust and that held in any fiduciary capacity? Does the right extend to money having no "earmarks?"
11. State the principle in the Rumford Market case. What remuneration is a trustee entitled to (1) at common law and (2) under the Provincial Statute?
12. What trusts are within the Statute of Frauds?
13. What is the doctrine of equity with regard to voluntary trusts? When will the Court assist a volunteer?