TRIAL-Criminal case-Instruction-Inaccuracy in Judge's charge-Prejudice Homicide—Instructions to jury—Prisoner's letter requesting false answer to enquiry—Explaining possession of money...... 227 TRUSTS-Trustees-Purchasing stock on own account-Rights of cestuis que VENDOR AND PURCHASER-Action for purchase money - Defences - Misrepresentations -Waiver Contract—Consideration—Failure of—Misrepresentation—Fraud. 387 Contract-Repudiation of-Restitution of property in same condition-Alteration made by consent of both parties......147 Defective title—Building restrictions—Specific performance 770 Deficiency in quantity—Deduction from purchase price...... 566 Preparation and tender of conveyance—Duty of vendor (Man.).. 127 Reseission of contract—Fraud—Deceit—Action for 60 Reseission of contract—Misrepresentation—Materiality......179, 466 Reseission of contract-Restitution to status quo-Removal of Rights and liabilities-Damages for non-performance-Right of Selling lots with respect to map or plat-Subdivisions-Rights of Validity of title-Lapsed agreement establishing highway over WAREHOUSEMEN-Loss of goods-Warehouse receipt-Limitation of liability...... 57 WATERS-Damming water-Interference with river driving operations in Extent of use-Irrigation-Prescriptive rights-Pre-emption.... 419 Irrigation of lands-Prior appropriation 419 WILLS-Codicil-Limitation as to time of distribution-Effect on previous Description of beneficiaries - Children - Grandchildren - Step-Devise of land—Construction of habendum—Life estate...... 282 Life estate—Powers—Exercise of—Appointment to one's self — Maintenance of children-Discretion as to-Marriage of child-

Effect on bequest 717