

VENDOR AND PURCHASER ACT, recitals under, 34.

must be recitals of facts and not of conclusions, 34.

creates new species of evidence, 38, 39, 121.

object of the enactment, 39.

evidence under, 102.

length of possession with memorial signed by grantee under, 112.

recitals, etc., in deeds 20 years' old as evidence under, 120, 121.

evidence of execution of deed, 134, 135.

affidavits proving due execution of memorials of deeds primary evidence under, *quære*, 122.

memorials as primary evidence under, 132.

inability of vendor to give covenant to produce no objection to title, 209.

reference to master as to title by possession, 295, 296.

VESTING ORDER, presumption in favour of, regularity of, 137, 138.

generally, 387, *et seq.*

power of Court to grant, 387.

effect of, 387.

purchaser not bound to accept, 387.

does not vest more than could be conveyed, 388.

VOLUNTARY DEEDS, effect of Registry Act on, 97.

must be registered before creation of any binding contract for conveyance, 97.

cancellation of, 184.

W.**WAIVER**, by purchaser of right to good title, 4, 6, *et seq.*

by matter before or contemporaneous with contract, 7.

by contract itself, 8.

by matter subsequent to contract, 23.

by taking possession, 24, 25, 26.

forcibly, 26.

purchase money, by securing, 25.

by payment of, 25.

by taking possession by purchaser at judicial sale, 27.

by re-sale, 27.

preparation of conveyance, evidence of, 29.

by acceptance of conveyance, 29.

none where vendor guilty of fraud or surprise, 23.

or concealment of material fact, 23.

or when abstract supplied is imperfect, 23.

none by approbation of counsel, 28.

may extend to whole title or to particular objections only, 23.

may be absolute or conditional, 23.