

§ (1) First C. G. or was appointed Chancellor and he had all jurisdiction and in his discretion he had a T. 1839. 6 + 7 19 26 6 + 2 V 19 + 1. 2 0 4 2 3

Thurs de of Equity
 Concurrence
 Exclusion
 Auxiliary

EQUITY.

- Eq. 6 2 9 9 0 7 6 1 7 1 1 0 0 1 9 4 0
1. Give the origin and history of the Equity Courts of New Brunswick?
2. Give illustration of the maxims "Equity follows the law" ^{Equity follows the law in regard to all the Canons of descent} "When Equities are equal the law shall prevail" ^{equal claims be the rules of primogeniture, which has the legal title will prevail}
3. Has a Court of Equity any jurisdiction over dower irrespective of any contract by the wife to part with her right of dower? and under what circumstances? ^{Yes under circumstances in cases of fraud or duress}
4. What difference is there between the English and Provincial Statutes of Frauds as to trusts? ^{Prov. in writing - Eng. must be evidenced by writing}
5. To what extent is the Supreme Court vested with Equity jurisdiction? ^{abolition of office}
6. What is separate estate? Does Chapter 72 Consol. Stat. Section 1 create a separate estate for all purposes? ^{Where there is a fraud money demands and in any case equitable defenses can be set up}
7. What is tacking and how is it effected by provincial legislation? ^{no tacking}
8. Can Equity relieve from forfeiture for the non-payment of rent and how are its powers in this respect limited? ^{Chap 83 C.S.}
9. Upon what principle does the Court act in granting an interlocutory injunction? ^{no tacking}
10. What are the rights of co-sureties (1) at law and (2) in Equity?
11. Which has priority, an unpaid vendor who has signed a receipt for the purchase money, or one with whom the vendee has deposited the title deeds by way of equitable mortgage? ^{no tacking}
12. State the decision in the Rumford Market case.
13. What is meant by coming into Equity with clean hands?
14. In what class of cases would it seem that courts of Equity are not bound by the Statutes of Frauds as to sales of land? ^{no tacking}
15. Is the wife of the purchaser of an equity of redemption a necessary party to the foreclosure suit and why? ^{Yes because she is seized of an equity of redemption that she has handed over}
14. Where there has been a part performance of the contract by some act which is unequivocally referable to the alleged contract set up. See *Maddison v Alderson* where part payment of purchase money & c. 1. L. 26. p. 16