



Quiz

Construction of Wills

1. What expression required interpretation in *Edmonds v Morrissey* [2016] NSWSC 342?
 - a. "Issue grandchildren"
 - b. "Issue children"
 - c. "Tenants in common"
 - d. "Joint tenants"
2. Which party in *Edmonds v Morrissey* [2016] NSWSC 342 was arguing a position that was contrary to their financial interests?
 - a. Plaintiff
 - b. First Defendant
 - c. Second Defendant
 - d. Third Defendant
3. Who were the second and third defendants in *Edmonds v Morrissey* [2016] NSWSC 342?
 - a. The children of the testator's son
 - b. The children of the plaintiff
 - c. The children of the deceased sister of the plaintiff and first defendant
 - d. The children of the first defendant

4. Who did Darke J find in favour of in *Edmonds v Morrissey* [2016] NSWSC 342?
- a. Plaintiff
 - b. First Defendant
 - c. Second Defendant
 - d. Third Defendant
5. How should a will be constructed?
- a. One must construe the language of the will as a whole, including the grammar, phraseology, and punctuation of the instrument, in order to determine the testator's intention,
 - b. When construing the words, one must apply their ordinary grammatical meaning, except where context indicates an alternative meaning.
 - c. Precedent does not really assist
 - d. All of the above

Answers:

1. b 2. a 3. c 4. a 5. d