

**THE SPECIFIC PERFORMANCE OF
CONTRACTS; AN EXPANSION OF
AN ARTICLE IN THE
ENCYCLOPAEDIA OF THE LAWS
OF ENGLAND**

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The specific performance of contracts; an expansion of an article in the Encyclopaedia of the laws of England by William Donaldson Rawlins

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WILLIAM DONALDSON RAWLINS

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THE

Specific Performance of Contracts

AN EXPANSION OF AN ARTICLE IN

THE ENCYCLOPÆDIA OF THE LAWS OF ENGLAND

BY

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TO

THE RIGHT HONOURABLE

SIR EDWARD FRY,

PRIVY COUNCILLOR,

HON. D.C.L., OXON.: HON. LL.D., EDIN.,

F.R.S., F.S.A., F.L.S.

SOMETIME A LORD JUSTICE OF APPEAL.

PREFACE.



It goes without saying that this little volume does not seek to enter the lists as a competitor for the favour of the profession with the standard treatise on Specific Performance, which so long has held the field in the region of the law which it has made its own.

But it is thought that there may be room and use for a concise text-book, which aims at discharging the modest function of a finger-post.

For, indeed, it is not difficult to lose one's way, in the investigation of a subject whose landmarks are scattered over an immense and ever-widening expanse of Reports, where principles are in risk of becoming buried under their illustrations, and rules of being lost in a maze of instances and exceptions.

The method employed in the following pages has been, as regards citation of authorities, one of rigorous selection. The cases referred to are comparatively few, but endeavour has been made

to pick out those which most distinctly enunciate the propositions in support of which they are invoked; to specify (wherever such particularity has seemed likely to be useful) the page of a volume on which authority for the statement in the text is to be found; and, other things being equal, to give preference to a case in which earlier authorities on the topic under consideration are reviewed or brought together. No statement has been taken from a head-note.

To the Article, which has been expanded into the present book, Sir Edward Fry—to whom the book is, with his permission, inscribed—kindly gave the assistance of some valuable criticisms and suggestions. That advantage has not been enjoyed by the additions, which now make their bow.

W. D. R.

1, NEW SQUARE,
LINCOLN'S INN,
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