

**THE PRINCIPLES OF THE HIGH COURT  
OF CHANCERY AND THE POWERS  
AND DUTIES OF ITS JUDGES:  
DESIGNED AS THE STUDENT'S FIRST  
BOOK ON EQUITY JURISPRUDENCE**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649679898

The Principles of the High Court of Chancery and the Powers and Duties of Its Judges: Designed as the Student's First Book on Equity Jurisprudence by Thomas A. Roberts

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Cover @ 2017

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**THOMAS A. ROBERTS**

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*The Student's First Book*  
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EQUITY JURISPRUDENCE.

*Propter vero et singulariter Equitas est virtus voluntatis correctione ejus, in quo lex propter universalitatem deficit.—Grot. de Equitate, c. 1, s. 2.*

BY  
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OF THE MIDDLE TEMPLE, BARRISTER AT LAW.

FROM THE SECOND LONDON EDITION.

PHILADELPHIA:  
T. & J. W. JOHNSON & CO.,  
LAW BOOKSELLERS AND PUBLISHERS,  
No. 635 CHESTNUT STREET.  
1857.

## PREFACE

TO THE SECOND EDITION.

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A SECOND EDITION of "The Principles of Equity" having been called for, the Author has carefully gone through the former Edition for the purpose of adapting it to the present state of the Law, and is agreeably surprised to find that notwithstanding the many alterations, indeed, the complete changes which have been made in the practice and proceedings of the High Court of Chancery, THE PRINCIPLES by which the decisions of such Court are guided, and for the enunciation and elucidation of which this book was written, have been so little changed, that it has been only necessary to make some minute alterations, and in the concluding chapter to review the various changes and improvements which since the publication of the former Edition have been made in the jurisdiction of the Court and in its practice and procedure, and to that chapter the Student is particularly referred.

4, STONE BUILDINGS,  
LINCOLN'S INN,  
May, 1857.

## P R E F A C E.

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THE Author, in presenting these pages to the Profession, trusts he will not be considered presumptuous in thus attempting to facilitate the Student's entrance into the abstruse studies which are necessary for the full understanding of the extensive department of legal learning of which he has here ventured to treat.

The want, which all persons on commencing the investigation of any subject, invariably experience for some general and concise statement of the leading features and doctrines of the particular branch which they desire to master, has led the Author to hope, that this his endeavour to epitomise the comprehensive subject of Equitable Jurisprudence, will not be unfavourably received; and to the completion of the following pages, he has been the more induced by the favourable reception which Mr. Williams's able introductory Treatises on The Laws of Real and Personal Property have met with from the Profession.

The Author's aim, throughout the following pages, has been, not in the least to supersede any of the learned works which treat of the various subjects of \*Equity Jurisprudence, but simply to afford [\*iv] the student some slight assistance towards the attainment of the knowledge with which such works are replete. From them he has taken the liberty (without impropriety, he hopes,) of selecting such portions as he considered best suited to lay before the reader, and to them, instead of to the numerous decisions and dicta which support the various propositions which are laid down, has he purposely referred. The principal references have been made to the learned and excellent Commentaries of the late lamented American Judge, from which, conjointly with the numerous valuable treatises of our own countrymen, has the following work been constructed; and to such the student, as he progresses in the knowledge of the different matters treated of, is particularly referred for further and fuller information.

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