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## Preface to the First Edition

This volume deals with the law of trusts and the equitable doctrines of election, performance, satisfaction, conversion and marshalling, and includes a chapter on receivers. The law of wills, settlements and administration is being dealt with in a separate volume.

The aim has been to set out the principles of the law of trusts as clearly and briefly as possible, with the quotation of appropriate authorities, without making any attempt to quote or enumerate all, or even a large number of, the cases in respect of any point. Those who wish to refer to further cases will find full lists in the larger works on trusts and in *Halsbury's Laws of England*. New Zealand cases have been quoted where illustrating any principle under discussion, but here also no attempt has been made to account for every case in the Reports.

One difficulty encountered by the writer of a work on any branch of the law, when the preparation and printing, as in this instance, have been extended over a considerable period of time, is the change that may be made in the law on a given subject-matter after that subject-matter has been dealt with and the sheets printed off. A striking illustration is afforded by the recent decision of the House of Lords in *Bourne v Keane*, by which the law that has prevailed for over three centuries with regard to bequests for masses has been reversed. The statements of the law as to bequests for masses, as set out on pp 9 and 26, must now be read subject to the decision in this case. See post, p 297.

It is hoped that a New Zealand work on the law of trusts will be of assistance not only to the legal profession generally and to students of law and accountancy but also to all who undertake the onerous duties and responsibilities attaching to the office of trustee.

Jas M E Garrow

Wellington, August, 1919