

where entry by the husband to give seisin is precluded during the lifetime of the wife.

Three other modes of expression may also be viewed as variations of the maxim, or at any rate as embodying like ideas. One of these, declaring that An impossibility involves no obligation is in the Latin form, *Impossibilium nulla obligatio est*. Literally, An impossible thing is no obligation. Another insists that No one is bound to do an impossibility, or, in the Latin form, *Nemo tenetur ad impossibile*.

The third declares, in antique language, that the law respecteth the possibility of things.

*Sources of the Maxim.*—The first appearance of the maxim under consideration in the English reports seems to be in a case decided in 1610 and preserved in Hobart's Reports, which were printed in 1646. The maxim there appears with the omission of the word "ad" (to) before "impossibilia" and in combination with that other form of the maxim "*Impotentia excusat legem*." The latter form is preceded by the Latin word for "but," ("sed") and so given as a species of equivalent for the maxim in its first form.

The form of the maxim, *Lex non intendit aliquid impossibile*, appears in a matter which came up two years later, in 1612, as described in Coke's Reports of which the thirteen parts or volumes were published between 1600 and 1615.

The source most usually assigned to the maxim in its most familiar form is, however, Coke upon Littleton, forming the first part of Coke's Institutes, and of which the fourth edition appeared in 1639. Here the maxim appears in its ordinary phraseology, preceded by the Latin word for "since" ("quia").

The variation or equivalent of the maxim in the phraseology, *Nemo tenetur ad impossibile*, appears in a source later than most if not all of these authorities. This is Jenkins' Reports, or Centuries, as he terms them and as they are sometimes cited, because they comprised Eight "Centuries" of cases, or eight hundred cases. These were compiled during the reign of