

PREFACE

TO THE FOURTH EDITION

For this Edition the Editor alone is responsible, and he is not unconscious of the responsibility.

During the period—more than a decade— which has elapsed since the publication of the third Edition, the stream of decisions upon questions falling within the purview of this treatise has been copious and constant, and the flow shows no sign of slackening.

In particular, the topic of Wilful Default, under the common condition of sale relating to delayed completion, has been the subject of much judicial discussion; there have been numerous decisions on questions of Doubtful Title; and the potentialities and limits of the Court's jurisdiction on a vendor and purchaser summons have been amply illustrated by reported cases.

Also, it has been thought advisable to take notice, in the chapter on Damages, of the rule in *Flureau v. Thornhill* and modern applications of that rule; and the scope of the first chapter of Part IV. —now intitled "Of the Proceedings up to and including Judgment"—has been in some measure extended, in the direction indicated by the altered title of the chapter.

The combined effect of the foregoing causes has been to add not inconsiderably to the text and notes, the number of newly-cited cases being upwards of three hundred.

Farther, the legislation of the last ten years—notably the Voluntary Conveyances Act, 1893, and the Married Women's Property Act of the same year, and in some degree the Trustee Act, 1893, the Merchant Shipping Act, 1894, and the Land Transfer Act, 1897—has necessitated modifications of the text.

The Editor has, however, been solicitous to interfere as little as possible with the Author's language, and to preserve