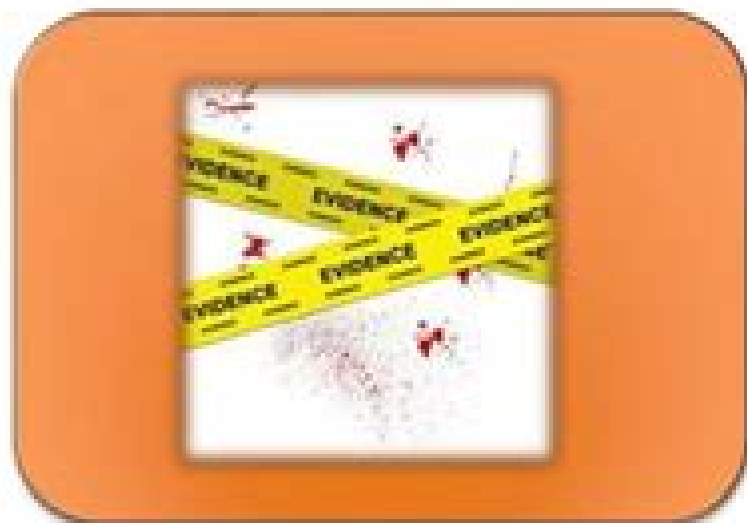


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# Resulting Trusts

**Peter Birks, Francis Rose**



## **Resulting Trusts:**

*Resulting Trusts* Robert Chambers, 1997 The resulting trust has received little attention in recent years and this may be because until relatively recently the law relating to resulting trusts was thought to be settled and uncontroversial. Most of the current academic writing about resulting trusts is found in the established textbooks on equity and trusts but these tend to provide little more than catalogues of the situations in which resulting trusts arise. There is however very little consensus on the principle by which the resulting trust operates including the fundamental question whether it arises by operation of law or depends on the presumed intention to create a trust. This book examines the true nature of the resulting trust and the question whether the trusts brought into being to reverse unjust enrichment should not include resulting trusts. It then considers whether when resulting trusts are properly understood it does turn out that it is through the resulting trust that equity makes its principle contribution to reversing unjust enrichment. This book examines principally the case law of the UK, Canada and Australia and it also makes reference to the views of academic commentators as found in the standard texts and law journals.

**Constructive and Resulting Trusts** Charles Mitchell, 2010-03-03 Constructive and resulting trusts have a long history in English law and the law which governs them continues to develop as they are pressed into service to perform a wide variety of different functions for example to support the working of express trusts and other fiduciary relationships to allocate family property rights and to undo the consequences of commercial fraud. However while their conceptual flexibility makes them enormously useful it also makes them hard to understand. In the twelve essays collected in this volume the authors shed new light on various aspects of the law governing constructive and resulting trusts revisiting current controversies bringing new historical material to the fore and offering new theoretical perspectives.

**Understanding Equity & Trusts** Alastair Hudson, 2008 *Understanding Equity Trusts* provides an accessible readable and comprehensive overview of the main themes in this dynamic area of the law. It will be of interest to students struggling to cope with the increasingly complex field of trusts law and to those revising for exams.

**Restitution and Equity Volume 1: Resulting Trusts and Equitable Compensation** Peter Birks, Francis Rose, 2020-11-25 The first part of this volume collates papers from the Second Mansfield Symposium which examined the areas of equity trusts and restitution. The second part addresses the emerging field of equitable compensation and its implications.

*Equity and Trusts* Mohamed Ramjohn, 2006 Presenting practical answers to fifty typical exam questions this new edition helps students to penetrate and understand the complexities of equity and trusts. Traditionally a difficult subject for those approaching it for the first time special care has been taken to present the subject as a whole in a structured way with basic matters examined first before moving on to more difficult concepts. Incorporating new questions and answers this new edition has been fully updated to include recent case law e.g. *Choithram v Pagarani* 2001 *Pennington v Waine* 2002 *Twinsectra v Yardley* 2002 *Duggan v Governor of Full Sutton Prison* 2004 discussion of the Charities Bill 2004 the implications of the Trustee Act 2000 Clarifying the mysteries

surrounding the study of equity and trusts this book contains essential advice and examples which illustrate how to successfully answer examination questions on the subject Trusts Law Graham Moffat, 2005-09-29 With its unique contextual emphasis and authoritative commentary Trusts Law Text and Materials is a book that no serious undergraduate on trust law courses can afford to be without The book is divided into four main parts trusts and the preservation of family wealth trusts and family breakdown trusts and commerce and trusts and non profit activity Within each of these parts leading cases statutes and historical and research materials are placed alongside the narrative of the author's text to give emphasis both to general theories of trust concepts and to the practical operation of trusts Attention is also given to important themes such as the developing relationship between trusts law and other areas of private law such as the Law of Restitution This new edition takes account of all relevant judicial and legislative developments since the third edition and expands discussion of key themes in current developments of the law **The Conflict of Laws as to Resulting and Constructive Trusts**

Louise Julia McGovern, 1927 **Resulting Trusts** John Mee, 2021-09-09 Interest in resulting trusts has greatly increased in recent years spurred by academic arguments that such trusts should be seen as a response to unjust enrichment and therefore as capable of arising in a wider range of situations than previously understood This book provides a comprehensive analysis of the different types of resulting trust including the purchase money resulting trust the resulting trust arising upon a voluntary transfer of property and the automatic resulting trust It also examines the unclear relationship between the resulting trust and two other significant types of trust the Quistclose trust which arises in the commercial context and the common intention constructive trust which generally arises in the family context As well as engaging fully with the intricacies of the modern law on resulting trusts the book also considers the history and underlying nature of resulting trusts and drawing on the insights that emerge offers an answer to the argument that it is appropriate to reshape the law of resulting trusts by reference to the principles of unjust enrichment *A Treatise on the Law of Trusts and Trustees* Jarius Ware Perry, 1872 **A Selection of Cases on Resulting and Constructive Trusts** Austin Wakeman Scott, 1915 The Northwestern Reporter, 1914 Cyclopedia of Law and Procedure, 1912 **American Law and Procedure** James De Witt Andrews, 1910 The Law Relating to Private Trusts & Trustees Arthur Underhill, 1926 The American and English Encyclopedia of Law John Houston Merrill, Thomas Johnson Michie, Charles Frederic Williams, David Shephard Garland, 1889 *The Law Relating to Trusts and Trustees* Arthur Underhill, 1912 Bouvier's Law Dictionary and Concise Encyclopedia John Bouvier, 1914 **Beckett on Trusts and Trustees (Illinois)** James Beach Beckett, 1912 **The Law of Wills and Succession as Administered in Scotland Including Trusts, Entails, Powers, and Executry** John M'Laren, 1894 United States Circuit Courts of Appeals Reports, 1917

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