# Contents

**Preface**  
  v  
**Contributors**  
  viii  
**Table of Cases**  
  ix  
**Table of Legislation**  
  xxix  

## PART I: CONSTRUCTIVE TRUSTS  
  1 The Words Which Are Not There: A Partial History of the Constructive Trust  
  PAUL MATTHEWS  
  3  
  2 Reliance-Based Constructive Trusts  
  SIMON GARDNER  
  63  
  3 The Nature of the Trust in *Rochefoucauld v Boustead*  
  WILLIAM SWADLING  
  95  
  4 Remedies for Knowing Receipt  
  CHARLES MITCHELL and STEPHEN WATTERSON  
  115  
  5 Knowing Receipt and Registered Land  
  MATTHEW CONAGLEN and AMY GOYMOUR  
  159  
  6 The Centrality of Constructive and Resulting Trusts  
  BEN McFARLANE  
  183  

## PART II: RESULTING TRUSTS  
  7 'Automatic' Resulting Trusts: Retention, Restitution, or Reposing Trust?  
  JOHN MEE  
  207  
  8 Resulting Trusts and Unjust Enrichment: Three Controversies  
  JAMES PENNER  
  237  
  9 Is There a Presumption of Resulting Trust?  
  ROBERT CHAMBERS  
  267  
  10 The Presumption of Advancement  
  JAMIE GLISTER  
  289  
  11 Intention, Mistakes and Resulting Trusts  
  CHARLIE WEBB  
  315  
  12 *Locus Poenitentiae*: Repentance, Withdrawal and Luck  
  IRIT SAMET  
  335