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Maxims of Equity.Fundamental Laws

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The main maxims are as follows: • equity acts * in personam; • equity acts on the conscience; • equity aids the vigilant; • equity will not suffer a wrong without a remedy (i.e. equity will not allow a person whom it considers as having a good claim to be denied the right to sue); • equity follows the law (i.e. equity follows the rules of common law unless there is a good reason to the contrary); • equity looks at the intent not at the form (i.e. equity looks to the reality of what was ...

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Maxims of equity are legal maxims that serve as a set of general principles or rules which are said to govern the way in which equity operates. They tend to illustrate the qualities of equity, in contrast to the common law, as a more flexible, responsive approach to the needs of the individual, inclined to take into account the parties ' conduct and worthiness. They were developed by the English Court of Chancery and other courts that administer equity jurisdiction, including the law of ...

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The maxims of equity evolved, in Latin and eventually translated into English, as the principles applied by courts of equity in deciding cases before them.

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Meaning. Where there is a right there is a remedy. This idea is expressed in the Latin Maxim ubi jus ibi remedium. It means that no wrong should go unredressed if it is capable of being remedied by courts. This maxim indicates the width of the scope and the basis of on which the structure of equity rests.

[Maxims of Equity - Law Notes for Students of Law](#)

MAXIMS OF EQUITY: • Equity aids the vigilant, not the indolent (Blundon v Storm; delay/laches/acquiescence) • He who seeks equity must come with clean hands (unclean hands cases- Polai, Tinsley) • He who seeks equity must do equity // equity will not act in vain (unclean hands cases- Polai, Tinsley);

[MAXIMS OF EQUITY](#)

List of Maxims. 1 Equity sees that as done what ought to be done. 2 Equity will not suffer a wrong to be without a remedy. 3 Equity delights in equality. 4 One who seeks equity must do equity. 5 Equity aids the vigilant, not those who slumber on their rights. 6 Equity imputes an intent to fulfill an obligation.

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The twelve equitable maxims are: 1. Equity will not suffer a wrong without a remedy. 2. Equity follows the law. 3. Where there is equal equity, the law shall prevail. 4. Where the equities are equal, the first in time shall prevail. 5. He who seeks equity must do equity. 6. He who comes into equity must come with clean hands. 7. Delay defeats equities. 8.

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maxims of equity Source: A Dictionary of Law Author(s): Jonathan Law, Elizabeth A. Martin. Short pithy statements used to denote the general principles that are supposed to run through *equity.