

R. A. Buckley

The Law of Nuisance



Butterworths

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RA Buckley MA, D Phil

*of Lincoln's Inn, Barrister
Fellow of Mansfield College, Oxford*

London
Butterworths
1981

England London	Butterworth & Co (Publishers) Ltd 88 Kingsway, WC2B 6AB
Australia Sydney	Butterworths Pty Ltd 271-273 Lane Cove Road, North Ryde NSW 2113 Also at Melbourne, Brisbane, Adelaide and Perth
Canada Toronto	Butterworth & Co (Canada) Ltd 2265 Midland Avenue, Scarborough, M1P 4S1
New Zealand Wellington	Butterworths of New Zealand Ltd 33-35 Cumberland Place
South Africa Durban	Butterworth & Co (South Africa) (Pty) Ltd 152-154 Gale Street
USA Boston	Butterworth (Publishers) Inc 10 Tower Office Park, Woburn, Mass. 01801

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ISBN 0 406 14110 X

*Printed and bound in Singapore by
Singapore National Printers (Pte) Ltd.*

Preface

It is difficult to overestimate the day to day importance of the law of nuisance. The frequency with which disputes arise between neighbouring occupiers, giving rise to a need for legal advice and sometimes to litigation, is beyond question. Moreover, although the development of planning control in the twentieth century has made it unlikely that general environmental issues, along the lines of some of the major earlier nuisance cases, would nowadays be resolved in the courts, a steady stream of reported decisions in recent years shows that this branch of the law can still give rise to difficult problems. Nevertheless it is over half a century since a book dealing exclusively with the subject was published in England: *Pearce and Meston on the Law relating to Nuisances* appeared in 1926. The only other English textbook to be published this century, *Garrett on Nuisances*, appeared in its third, and last, edition in 1908, and was first published in 1890. It is therefore hoped that this book will fill a need and prove useful to all those concerned with this branch of the law.

I am greatly indebted to Mr P L R Mitchell LLB, Solicitor of the Supreme Court, who generously found time to read the entire manuscript in draft and who saved me from a number of errors, particularly in the chapter on injunctions. For those that remain I alone am responsible.

May 1981

Mansfield College, Oxford

R.A.B.

Table of Statutes

References in this Table to “*Statutes*” are to Halsbury’s Statutes of England (Third Edition) showing the volume and page at which the annotated text of the Act will be found.

	PAGE		PAGE
Administration of Justice Act 1973 (43 <i>Statutes</i> 250)		Greater London Council (General Powers) Act 1967 (20 <i>Statutes</i> 731)	
s 6	134	s 24	168
Sch 2	134	Gulf Oil Refining Act 1965	
Administration of Justice Act 1977 (47 <i>Statutes</i> 113)		s 5	89
s 14	134	Highways Act 1980 (50 <i>Statutes</i> 452)	146
Brine Pumping (Compensation for Subsidence) Act 1891 (22 <i>Statutes</i> 48)	54	s 149	58
Chancery Amendment Act 1858 (25 <i>Statutes</i> 703)	117, 129, 147	Highways (Miscellaneous Provi- sions) Act 1961 (15 <i>Statutes</i> 485)	
s 2	129	s 1 (3)	82
Clean Air Act 1956 (26 <i>Statutes</i> 456)		Housing Act 1957 (16 <i>Statutes</i> 109):	152, 155
s 16	158, 170	s 48	152
(2)	162, 170	Land Compensation Act 1973 (43 <i>Statutes</i> 170)	
34 (1)	158, 159	s 1	88
Coal-Mining (Subsidence) Act 1957 (22 <i>Statutes</i> 439)		Land Drainage Act 1930 (18 <i>Statutes</i> 160)	45
s 1	54	Land Drainage Act 1961 (18 <i>Statutes</i> 273)	45
Control of Pollution Act 1974 (44 <i>Statutes</i> 1191)	8, 86, 162	Local Government Act 1933 (19 <i>Statutes</i> 393)	
s 58	159	s 276	135
(1)	153, 159, 172	Local Government Act 1972 (42 <i>Statutes</i> 841)	157
(4)	160, 162	s 221 (1)	56
(8)	160, 171, 172	(a)	135, 146
59	159, 166	235	154
(1)	159	Sch 14	
(5)	160	para 11	157
72	160	London Government Act 1963 (20 <i>Statutes</i> 448)	
73 (1)	159	s 40	151
County Courts Act 1959 (7 <i>Statutes</i> 302)		Magistrates’ Courts Act 1952 (21 <i>Statutes</i> 181)	
s 39–51.	133	s 42	161
51A	133, 134	Matrimonial Homes Act 1967 (17 <i>Statutes</i> 139)	73
(1) (2)	134	Mines and Quarries Act 1954 (22 <i>Statutes</i> 279)	
52–77.	133	s 151	158, 162
Criminal Law Act 1977 (47 <i>Statutes</i> 692)		Noise Abatement Act 1960 (26 <i>Statutes</i> 494)	
s 16	56	s 1	160
Sch 2	56	Nuisances Removal Act 1855	151
Defective Premises Act 1972 (42 <i>Statutes</i> 1395)			
s 4	51, 69, 79		
(2)	69		
Fires Prevention (Metropolis) Act 1774 (17 <i>Statutes</i> 829)			
s 86	53		

xiv *Table of Statutes*

	PAGE
Nuisances Removal Act 1860	151
Prevention of Damage by Pests Act 1949 (26 <i>Statutes</i> 408)	44
Public Health Act 1848	151
Public Health Act 1875 (26 <i>Statutes</i> 38)	45, 151, 153, 155, 167
s 91, 114	153
306	164
Public Health Act 1936 (26 <i>Statutes</i> 189)	151, 155, 170
s 31	91
81, 82	154
92	162, 167, 168
(1)	152, 153, 154, 156
93	161, 162, 164, 168
94	161, 168, 170
(1)	161
(2)	161, 164
(4)	153, 171
(5)	154, 171
95	161, 168
(1)	162
(2)	164
96	165
99	165, 166, 169
100	135, 153, 170, 171, 172
107 (1), (2), (6)	157
108 (1), (2)	158
141	154, 156, 162
259 (1)	162
267	162

	PAGE
Public Health Act 1936 — <i>cont.</i>	
s 268	154, 162
(2) (a)	156
289	164
Public Health Act 1961 (26 <i>Statutes</i> 500)	
s 17	167
18	168
26	168
(1)–(3)	168
72	153, 162
74	44
Public Health (London) Act 1936	151, 162
Public Health (Recurring Nuisances) Act 1969 (26 <i>Statutes</i> 620)	169, 170
s 1 (1), (4)	169
2	169
Rivers Pollution Prevention Act 1876	86
Rivers (Prevention of Pollution) Act 1951 (39 <i>Statutes</i> 626)	
s 2 (1) (a)	86
Town and Country Planning Act 1971 (41 <i>Statutes</i> 1571).	8, 157
Water Act 1973 (43 <i>Statutes</i> 1819):	16
Water Resources Act 1963 (39 <i>Statutes</i> 223)	16
Water Resources Act 1971 (41 <i>Statutes</i> 2284)	16
Weeds Act 1959 (1 <i>Statutes</i> 313).	44

Table of Cases

In the following Table references are given to the English and Empire Digest where a digest of the case may be found.

	PAGE
A	
Abelson v Brockman (1889) 54 JP 119, 36 (1) Digest (Reissue) 127	49, 51
Adams v Ursell [1913] 1 Ch 269, 82 LJ Ch 157, 108 LT 292, 57 Sol Jo 227, 36 (1) Digest (Reissue) 429	158
Aldred's case (1610) 9 Co Rep 57b, [1558-1774] All ER Rep 622, 36 (1) Digest (Reissue) 427	34
Aldridge and O'Brien v Van Patter [1952] 4 DLR 93, [1952] OR 595, [1952] OWN 516, 36 (1) Digest (Reissue) 453	48, 76
Allen v Greenwood [1980] Ch 119, [1979] 1 All ER 819, [1979] 2 WLR 187, 122 Sol Jo 828, 38 P & CR 54, CA	33
Allen v Gulf Oil Refining Ltd [1981] 1 All ER 353, [1981] 2 WLR 188, 125 Sol Jo 101, HL	7, 88, 89, 90
Alma v Nakir [1966] 2 NSWR 396, 36 (1) Digest (Reissue) 434	30
Almeroth v W.E. Chivers & Sons Ltd [1948] 1 All ER 53, 92 Sol Jo 71, CA, 26 Digest (Repl) 487	59
Alston v Grant (1854) 3 E & B 128, 2 CLR 933, 23 LJQB 163, 22 LTOS 221, 18 Jur 332, 2 WR 161, 36 (1) Digest (Reissue) 490	73
Altrincham Union Assessment Committee v Cheshire Lines Committee (1885) 15 QBD 597, 50 JP 85, CA, 38 Digest (Repl) 639	89
Amalgamated Theatres Ltd v Charles S. Luney Ltd [1962] NZLR 226	60, 63
American Cyanamid Co v Ethicon [1975] AC 396, [1975] 1 All ER 504, [1975] 2 WLR 316, 119 Sol Jo 136, HL, Digest Cont Vol D 537	119
Anderson v Oppenheimer (1880) 5 QBD 602, 49 LJQB 708, CA, 36 (1) Digest (Reissue) 464	51
Andrae v Selfridge & Co Ltd [1938] Ch 1, [1937] 3 All ER 255, 107 LJ Ch 126, 157 LT 317, 81 Sol Jo 525, CA, 36 (1) Digest (Reissue) 418	10, 11, 12, 24, 28, 116
Anger v Northern Construction Co [1938] 4 DLR 738, 36 (1) Digest (Reissue) 420:	13
Armstrong v Sheppard and Short Ltd [1959] 2 QB 384, [1959] 2 All ER 651, [1959] 3 WLR 84, 123 JP 401, 103 Sol Jo 508, CA, 46 Digest (Repl) 393	147
Anns v Merton London Borough Council [1978] AC 728, [1977] 2 All ER 492, [1977] 2 WLR 1024, 121 Sol Jo 377, 141 JP 526, 75 LGR 555, HL, Digest Cont Vol E 450	93
A-G v Acton Local Board (1882) 22 Ch D 221, 52 LJ Ch 108, 47 LT 510, 31 WR 153, 36 (1) Digest (Reissue) 504	120
A-G v Barnsley Corpn [1874] WN 37, LC & LJ, 36 (1) Digest (Reissue) 492	84
A-G v Birmingham Borough Council (1858) 4 K & J 528, 22 JP 561, 6 WR 811, 36 (1) Digest (Reissue) 501	122, 123
A-G v Brighton and Hove Co-operative Supply Association [1900] 1 Ch 276, 69 LJ Ch 204, 81 LT 762, 48 WR 314, 16 TLR 144, 64 JP Jo 68, CA, 26 Digest (Repl) 485	61
A-G v Cambridge Consumers Gas Co (1868) 4 Ch App 71, 38 LJ Ch 94, 19 LT 508, 33 JP 147, 17 WR 145, CA, 26 Digest (Repl) 518	120
A-G v Cole & Son [1901] 1 Ch 205, 70 LJ Ch 148, 83 LT 725, 65 JP 88, 36 (1) Digest (Reissue) 424	6, 58

A-G v Corke [1933] Ch 89, [1932] All ER Rep 711, 148 LT 95, 48 TLR 650, 76 Sol Jo 593, 31 LGR 35, sub nom. A-G and Bromley RC v Corke 102 LJ Ch 30, 36 (1) Digest (Reissue) 452.	25
A-G v Cory Bros & Co Ltd [1921] 1 AC 521, 90 LJ Ch 221, 125 LT 98, 85 JP 129, 37 TLR 343, 19 LGR 145, HL, 36 (1) Digest (Reissue) 451	47, 128, 135
A-G v Gastonia Coaches Ltd [1977] RTR 219	23, 25, 29, 61, 118
A-G v Guardians of Poor of Union of Dorking (1882) 20 Ch D 595, 51 LJ Ch 585, 46 LT 573, 30 WR 579, CA, 39 Digest (Repl) 48	93, 136, 138
A-G v Manchester Corpn [1893] 2 Ch 87, [1891-4] All ER Rep 1196, 62 LJ Ch 459, 68 LT 608, 41 WR 459, 9 TLR 315, 37 Sol Jo 325, 3 R 427, 36 (1) Digest (Reissue) 503	126
A-G v Nottingham Corpn [1904] 1 Ch 673, 73 LJ Ch 512, 90 LT 308, 68 JP 125, 52 WR 281, 20 TLR 257, 2 LGR 698, 36 (1) Digest (Reissue) 431	126
A-G v PYA Quarries Ltd [1957] 2 QB 169, [1957] 1 All ER 894, [1957] 2 WLR 770, 121 JP 323, 101 Sol Jo 338, 55 LGR 208, 36 (1) Digest (Reissue) 413	28, 57, 58, 60, 135
A-G v Rathmines and Pembroke Hospital Board [1904] 1 IR 161, 36 (1) Digest (Reissue) 431	106
A-G v Sheffield Gas Consumers Co (1853) 3 De GM & G 304, 22 LJ Ch 811, 21 LTOS 49, 17 Jur 677, 1 WR 185, 36 (1) Digest (Reissue) 406	120
A-G v Stone (1895) 60 JP 168, 12 TLR 76, 36 (1) Digest (Reissue) 432	58, 135
A-G v Thames Conservators (1862) 1 Hem & Ml, 1 New Rep 121, 16 Digest (Reissue) 364	62
A-G v Tod Heatley [1897] 1 Ch 560, [1895-9] All ER Rep 636, 66 LJ Ch 275, 76 LT 174, 61 JP Jo 164, 45 WR 394, 13 TLR 220, 41 Sol Jo 311, CA, 36 (1) Digest (Reissue) 432	58, 79
A-G v Tomline (1880) 14 Ch D 58, 49 LJ Ch 377, 42 LT 880, 44 JP 617, 28 WR 870, CA, 36 (1) Digest (Reissue) 446	45
A-G v W.H. Smith & Sons (1910) 103 LT 96, 74 JP 313, 26 TLR 482, 8 LGR 679, 36 (1) Digest (Reissue) 407	61, 135
A-G and Domes v Basingstoke Corpn (1876) 45 LJ Ch 726, 24 WR 817, 36 (1) Digest (Reissue) 485	93, 137
A-G (ex rel Strand District Board of Works) v Kirk (1896) 12 TLR 514, CA, 36 (1) Digest (Reissue) 492	77
A-G for Ontario v Orange Productions Ltd (1971) 21 DLR (3d) 257	58

B

Bagshaw v Burton Local Board of Health (1875) 1 Ch D 220, 45 LJ Ch 260, 34 LT 112, 40 JP 197, 24 WR 231, 36 (1) Digest (Reissue) 472	138, 146
Bainbridge v Chertsey Urban Council (1914) 84 LJ Ch 626, 79 JP 134, 13 LGR 935, 36 (1) Digest (Reissue) 422	23, 29
Baird v Williamson (1863) 15 CBNS 376, 3 New Rep 86, 33 LJCP 101, 9 LT 412, 12 WR 150, sub nom. Williamson v Baird 10 Jur NS 152, 33 Digest (Repl) 866	45
Balfour v Barty-King [1956] 2 All ER 555, [1956] 1 WLR 779, 100 Sol Jo 472, [1956] 1 Lloyd's Rep 600, 36 (1) Digest (Reissue) 450	53, 81
Ball v Ray (1873) 8 Ch App 467, [1861-73] All ER Rep 965, 30 LT 1, 37 JP 500, 22 WR 283, LC & LJ, 36 (1) Digest (Reissue) 461	24, 85, 136
Ballard v Tomlinson (1885) 29 Ch D 115, [1881-5] All ER Rep 688, 54 LJ Ch 454, 52 LT 942, 49 JP 692, 33 WR 533, 1 TLR 270, CA, 36 (1) Digest (Reissue) 454	17
Bamford v Turnley (1860) 3 B & S 66, [1861-73] All ER Rep 706, 31 LJQB 286, 6 LT 721, 9 Jur NS 377, 10 WR 803, 36 (1) Digest (Reissue) 423	6, 7, 28, 51
Banbury Urban Sanitary Authority v Page (1881-2) 8 QBD 97, 51 LJMC 21, 45 LT 759, 46 JP 184, 30 WR 415, 36 (1) Digest (Reissue) 403	156
Barber v Penley [1893] 2 Ch 447, 62 LJ Ch 623, 68 LT 662, 9 TLR 359, 37 Sol Jo 355, 3 R 489, 28 (2) Digest (Reissue) 1157	5, 58, 119
Bareham v Hall (1870) 22 LT 116, 36 (1) Digest (Reissue) 439	23
Barker v Herbert [1911] 2 KB 633, [1911-13] All ER Rep 509, 80 LJKB 1329, 105 LT 349, 75 JP 481, 27 TLR 488, 9 LGR 1083, CA, 36 (1) Digest (Reissue) 465	69

Barrette v Franki Compressed Pile Co of Canada [1955] 2 DLR 665, [1955] OR 413, [1955] OWN 401, 36 (1) Digest (Reissue) 460	13, 37
Bass v Gregory (1890) 25 QBD 481, 59 LJQB 574, 55 JP 119, 6 TLR 412, 19 Digest (Repl) 71	34
Bateman v Bluck (1852) 18 QB 870, 21 LJQB 406, 17 JP 4, 17 Jur 386, 36 (1) Digest (Reissue) 472	145, 146
Baten's case (1610) 9 Co Rep 53b, 36 (1) Digest (Reissue) 471	183
Bedford v Leeds Corpn (1913) 77 JP 430, 36 (1) Digest (Reissue) 460	24
Behrens v Richards [1905] 2 Ch 614, 74 LJ Ch 615, 93 LT 623, 69 JP 381, 54 WR 141, 21 TLR 705, 49 Sol Jo 685, 3 LGR 1228, 26 Digest (Repl) 311	120
Bell v Midland Rly Co (1861) 10 CBNS 287, 30 LJCP 273, 4 LT 293, 7 Jur NS 1200, 9 WR 612, 36 (1) Digest (Reissue) 477	74
Bell v Twentyman (1841) 1 QB 766, 1 Gal & Dav 223, 10 LJQB 278, 6 Jur 366, 36 (1) Digest (Reissue) 17	80
Bellew v Cement Ltd [1948] IR 61, 36 (1) Digest (Reissue) 420	123
Benjamin v Storr (1874) LR 9 CP 400, [1874-80] All ER Rep Ext 2000, 43 LJCP 162, 30 LT 362, 22 WR 631, 36 (1) Digest (Reissue) 481	62, 110
Benning v Wong (1969) 43 ALJR 467	48, 52, 91
Betts v Neilson (1868) 3 Ch App 429, 20 Digest (Repl) 255	147
Betts v Penge UDC [1942] 2 KB 154, [1942] 2 All ER 61, 111 LJKB 565, 167 LT 205, 106 JP 203, 58 TLR 283, 86 Sol Jo 313, 40 LGR 199, 36 (1) Digest (Reissue) 434	155
Bishop Auckland Local Board v Bishop Auckland Iron and Steel Co Ltd (1882) 10 QBD 138, 52 LJMC 38, 48 LT 223, 47 JP 389, 31 WR 288, 36 (1) Digest (Reissue) 435	153, 155
Black v Christchurch Finance Co [1894] AC 48, 63 LJPC 32, 70 LT 77, 58 JP 332, 6 R 394, PC, 34 Digest (Repl) 203	81
Blair and Sumner v Deakin (1887) 57 LT 522, 52 JP 327, 3 TLR 757, 36 (1) Digest (Reissue) 488	96
Blake v Woolf [1898] 2 QB 426, [1895-9] All ER Rep 185, 67 LJQB 813, 79 LT 188, 62 JP 659, 47 WR 8, 42 Sol Jo 688, 36 (1) Digest (Reissue) 464	51, 100
Bliss v Hall (1838) 4 Bing NC 183, 1 Arn 19, 5 Scott 500, 7 LJCP 122, 36 (1) Digest (Reissue) 406	97
Bloodworth v Cormack [1949] NZLR 1058, 36 (1) Digest (Reissue) 492	26
Blundy, Clark & Co Ltd v London and North Eastern Rly Co [1931] 2 KB 334, 100 LKKB 401, CA, 38 Digest (Repl) 444	63
Bolton v Stone [1951] AC 850, [1951] 1 All ER 1078, [1951] 1 TLR 977, 50 LGR 32, sub nom. Stone v Bolton 95 Sol Jo 333, HL, 36 (1) Digest (Reissue) 31	30, 98, 110
Bond v Nottingham Corpn [1940] Ch 429, [1940] 2 All ER 12, 109 LJ Ch 220, 163 LT 253, 104 JP 219, 56 TLR 475, 84 Sol Jo 233, 38 LGR 209, CA, 19 Digest (Repl) 189	55
Bone v Seale [1975] 1 All ER 787, [1975] 1 WLR 797, 119 Sol Jo 137, CA, 36 (1) Digest (Reissue) 498	29, 115
Bostock v North Staffordshire Rly Co (1852) 5 De G & Sm 584, 36 (1) Digest (Reissue) 443	120
Bosworth-Smith v Gwynnes Ltd (1919) 89 LJ Ch 368, 122 LT 15, 36 (1) Digest (Reissue) 418	23, 24, 25
Bottom v Ontario Leaf Tobacco Co [1935] 2 DLR 699, [1935] OR 205, 36 (1) Digest (Reissue) 428	122, 132
Bottomley v Harrison [1952] 1 All ER 368, 116 JP 113, 96 Sol Jo 90, 50 LGR 172, 36 (1) Digest (Reissue) 511	163
Bower v Hill (1835) 1 Bing NC 549, 1 Hodg 45, 1 Scott 526, 4 LJCP 153, 36 (1) Digest (Reissue) 497	106
Bower v Peate (1876) 1 QBD 321, [1874-80] All ER Rep 905, 45 LJQB 446, 35 LT 321, 40 JP 789, 36 (1) Digest (Reissue) 258	81, 82
Boyd v Great Northern Rly Co [1895] 2 IR 555, 36 (1) Digest (Reissue) 311	62, 65
Box v Jubb (1879) 4 Ex D 76, [1874-80] All ER Rep 741, 48 LJQB 417, 41 LT 97, 27 WR 415, 36 (1) Digest (Reissue) 466	49, 94
Bracewell v Appleby [1975] Ch 408, [1975] 1 All ER 993, [1975] 2 WLR 282, 119 Sol Jo 114, 29 P & CR 204, Digest Cont Vol D 279	132

	PAGE
Bradford Corp'n v Pickles [1895] AC 587, [1895-9] All ER Rep 984, 64 LJ Ch 759, 73 LT 353, 60 JP 3, 44 WR 190, 11 TLR 555, 11 R 286, HL, 36 (1) Digest (Reissue) 412	15, 16
Brady v Warren [1900] 2 IR 632, 2 Digest (Reissue) 330	44
Brand v Hammersmith and City Rly Co. <i>See</i> Hammersmith and City Rly Co v Brand	
Brent v Haddon (1619) Cro Jac 555, 36 (1) Digest (Reissue) 488	77
Brew Bros Ltd v Snax (Ross) Ltd [1970] 1 QB 612, [1970] 1 All ER 587, [1969] 3 WLR 657, 113 Sol Jo 795, 20 P & CR 829, CA, 36 (1) Digest (Reissue) 489	78
Bridlington Relay Ltd v Yorkshire Electricity Board [1965] Ch 436, [1965] 1 All ER 264, [1965] 2 WLR 349, 109 Sol Jo 12, 36 (1) Digest (Reissue) 415	13, 14
British Celanese Ltd v A.H. Hunt (Capacitors) Ltd [1969] 2 All ER 1252, [1969] 1 WLR 959, 113 Sol Jo 368, 36 (1) Digest (Reissue) 27	50, 108
British Railways Board v Herrington [1972] AC 877, [1972] 1 All ER 749, [1972] 2 WLR 537, 116 Sol Jo 178, HL, 36 (1) Digest (Reissue) 121	20
British Road Services Ltd v Slater [1964] 1 All ER 816, [1964] 1 WLR 498, 108 Sol Jo 357, 36 (1) Digest (Reissue) 488	70
Broadbent v Shepherd [1901] 2 KB 274, [1900-3] All ER Rep 631, 70 LJKB 628, 84 LT 844, 65 JP 499, 49 WR 521, 17 TLR 460, 45 Sol Jo 486, 36 (1) Digest (Reissue) 515	163
Broder v Saillard (1876) 2 Ch D 692, 45 LJ Ch 414, 40 JP 644, 24 WR 1011, 36 (1) Digest (Reissue) 455	77
Bromley v Mercer [1922] 2 KB 126, 91 LJKB 577, 127 LT 282, 38 TLR 496, CA, 36 (1) Digest (Reissue) 189	59, 69, 75
Brown v Bussell (1868) LR 3 QB 251, 9 B & S 1, 37 LJMC 65, 18 LT 19, 32 JP 196, 16 WR 511, 36 (1) Digest (Reissue) 505	163
Brown v Harrison (1947) 177 LT 281, 63 TLR 484, CA, 26 Digest (Repl) 488	70
Buley v British Railways Board [1975] CLY 2458	87
Burgess v Woodstock [1955] 4 DLR 615, [1955] OR 814, [1955] OWN 779, 36 (1) Digest (Reissue) 479	73
Butter v Standard Telephones and Cables Ltd [1940] 1 KB 399, [1940] 1 All ER 121, 109 LJKB 238, 163 LT 145, 56 TLR 273, 84 Sol Jo 189, 2 Digest (Reissue) 99	37, 43

C

Cable v Bryant [1908] 1 Ch 259, [1904-7] All ER Rep 937, 77 LJ Ch 78, 98 LT 98, 28 (2) Digest (Reissue) 998	34
Caminer v Northern and London Investment Trust Ltd [1951] AC 888, [1950] 2 All ER 486, 114 JP 426, 66 (pt 2) TLR 184, 94 Sol Jo 518, 48 LGR 573, HL, 2 Digest (Reissue) 148	70
Campbell v Paddington Corp'n [1911] 1 KB 869, 80 LJKB 739, 104 LT 394, 75 JP 277, 27 TLR 232, 9 LGR 387, 26 Digest (Repl) 490	58, 113, 114
Campbell Davys v Lloyd [1901] 2 Ch 518, 70 LJ Ch 714, 85 LT 59, 49 WR 710, 17 TLR 678, 45 Sol Jo 670, CA, 36 (1) Digest (Reissue) 472	138, 139, 142, 143
Canadian Pacific Rly Co v Parke [1899] AC 535, [1895-9] All ER Rep Ext 1436, 68 LJPC 89, 81 LT 127, 48 WR 118, 15 TLR 427, PC, 36 (1) Digest (Reissue) 416	88
Canvey Island Comrs v Preedy [1922] 1 Ch 179, 91 LJ Ch 203, 126 LT 445, 86 JP 21, 66 Sol Jo 182, 20 LGR 125, 36 (1) Digest (Reissue) 446	45
Cargill v Gotts [1980] 2 All ER 49, [1981] 1 All ER 682, [1980] 1 WLR 521, 124 Sol Jo 359, 40 P & CR 122, CA	16
Carstairs v Taylor (1871) LR 6 Exch 217, 40 LJ Ex 129, 19 WR 723, 36 (1) Digest (Reissue) 448	51
Castle v St. Augustine's Links Ltd (1922) 38 TLR 615, 36 (1) Digest (Reissue) 444	59, 75
Cavey v Ledbitter (1863) 13 CBNS 470, 32 LJCP 104, 9 Jur NS 798, 36 (1) Digest (Reissue) 423	28
Chaplin (W.H.) & Co Ltd v Westminster Corp'n [1901] 2 Ch 329, 70 LJ Ch 679, 85 LT 88, 65 JP 661, 49 WR 586, 17 TLR 576, 45 Sol Jo 597, 26 Digest (Repl) 350	62

Charing Cross Electricity Supply Co v Hydraulic Power Co [1914] 3 KB 772, [1914-15] All ER Rep 85, 83 LJKB 1352, 111 LT 198, 78 JP 305, 30 TLR 441, 58 Sol Jo 577, 12 LGR 807, CA, 36 (1) Digest (Reissue) 449	74
Charles v Finchley Local Board (1883) 23 Ch D 767, 52 LJ Ch 554, 48 LT 569, 47 JP 791, 31 WR 717, 36 (1) Digest (Reissue) 475	138
Charrington v Simons & Co [1970] 2 All ER 257, [1970] 1 WLR 725, 114 Sol Jo 169, 21 P & CR 364, 28 (2) Digest (Reissue) 998	127
Chasemore v Richards (1859) 7 HL Cas 349, [1843-60] All ER Rep 77, 29 LJ Ex 81, 33 LTOS 350, 23 JP 596, 5 Jur NS 873, 7 WR 685, HL, 47 Digest (Repl) 667: 17, 54	16,
Chastey v Ackland [1895] 2 Ch 389, 64 LJQB 523, 72 LT 845, 43 WR 627, 11 TLR 460, 39 Sol Jo 582, 12 R 420, CA, 36 (1) Digest (Reissue) 428	34, 114
Chesham (Lord) v Chesham UDC (1935) 79 Sol Jo 453, 47 Digest (Repl) 683	29, 95
Chester (Dean and Chapter) v Smelting Corp Ltd (1901) 85 LT 67, [1900-3] All ER Rep Ext 1416, 17 TLR 743, 36 (1) Digest (Reissue) 504	119
Christie v Davey [1893] 1 Ch 316, 62 LJ Ch 439, 3 R 210, 36 (1) Digest (Reissue) 462	14, 15
Clark v Chambers (1878) 3 QBD 327, 47 LJQB 427, 38 LT 454, 42 JP 438, 26 WR 613, 36 (1) Digest (Reissue) 55	110
Clark v Lloyd's Bank Ltd (1910) 79 LJ Ch 645, 103 LT 211, 74 JP 429, 54 Sol Jo 704, 36 (1) Digest (Reissue) 471	12, 24
Clayton v Sale UDC [1926] 1 KB 415, [1925] All ER Rep 279, 95 LJKB 178, 134 LT 147, 90 JP 5, 42 TLR 72, 24 LGR 34, 36 (1) Digest (Reissue) 506	45
Clearlite Holdings Ltd v Auckland City Corp [1976] 2 NZLR 729	5, 6
Cleeve v Mahany (1861) 25 JP 819, 9 WR 882, 36 (1) Digest (Reissue) 501	28
Clemons v Stewart (1969) 113 Sol Jo 427, 36 (1) Digest (Reissue) 421	153, 159
Clifford v Holt [1899] Ch 698, 68 LJ Ch 332, 80 LT 48, 63 JP 22, 15 TLR 86, 43 Sol Jo 113, 19 Digest (Repl) 139	33
Cockwell v Russell (1856) 28 LTOS 105, 36 (1) Digest (Reissue) 474	144
Colchester Corp v Brooke (1846) 7 QB 339, 15 LJQB 59, 5 LTOS 192, 10 JP 217, 9 Jur 1090, 36 (1) Digest (Reissue) 472	145
Collingwood v Home and Colonial Stores Ltd [1936] 3 All ER 200, 155 LT 550, 53 TLR 53, 80 Sol Jo 853, CA, 36 (1) Digest (Reissue) 449	50
Colls v Home and Colonial Stores Ltd [1904] AC 179, 73 LJ Ch 484, 90 LT 687, 53 WR 30, 20 TLR 475, HL, 19 Digest (Repl) 135	31, 32, 33
Colwell v St Pancras Borough Council [1904] 1 Ch 707, 73 LJ Ch 275, 90 LT 153, 68 JP 286, 52 WR 523, 20 TLR 236, 2 LGR 518, 36 (1) Digest (Reissue) 478: 25, 74, 122	11,
Cook v Montagu (1872) LR 7 QB 418, 41 LJM 149, 26 LT 471, 37 JP 53, 20 WR 624, 36 (1) Digest (Reissue) 510	163
Cooke v Forbes (1867) LR 5 Eq 166, 37 LJ Ch 178, 17 LT 371, 38 Digest (Repl) 221: 13, 120	13,
Cooper v Crabtree (1881) 19 Ch D 193, affd. (1882) 20 Ch D 589, 51 LJ Ch 544, 47 LT 5, 46 JP 628, 30 WR 649, CA, 26 Digest (Repl) 523	75
Cooper v Wooley (1867) LR 2 Exch 88, 36 LJM 27, 15 LT 539, 31 JP 135, 15 WR 450, 36 (1) Digest (Reissue) 442	158
Coventry City Council v Cartwright [1975] 2 All ER 99, [1975] 1 WLR 845, 119 Sol Jo 235, 73 LGR 218, 36 (1) Digest (Reissue) 435	153, 156
Coventry City Council v Doyle [1981] 2 All ER 184	161, 165, 166
Crossley & Sons Ltd v Lightowler (1867) 2 Ch App 478, 36 LJ Ch 584, 16 LT 438, 15 WR 801, LC, 36 (1) Digest (Reissue) 495	96
Crowhurst v Amersham Burial Board (1878) 4 Ex D 5, 48 LJQB 109, 39 LT 355, 27 WR 95, 2 Digest (Reissue) 99	43
Crump v Lambert (1867) LR 3 Eq 409, 15 LT 600, 31 JP 485, 15 WR 417, affd. 17 LT 133, 36 (1) Digest (Reissue) 406	24, 28
Cunard v Antifyre Ltd [1933] 1 KB 551, [1932] All ER Rep 558, 103 LJKB 321, 148 LT 287, 49 TLR 184, 36 (1) Digest (Reissue) 404	76
Cunliffe v Bankes [1945] 1 All ER 459, 36 (1) Digest (Reissue) 445	70
Cushing v Peter Walker & Son (Warrington and Burton) Ltd [1941] 2 All ER 693, 36 (1) Digest (Reissue) 486	70

D

Dalton v Angus (1881) 6 App Cas 740, [1881-5] All ER Rep 1, 50 LJQB 689, 46 JP 132, 30 WR 191, 44 LT 844, HL, 17 Digest (Reissue) 10	55, 81
Daniel v Ferguson [1891] 2 Ch 27, 39 WR 599, CA, 19 Digest (Repl) 208.	127
Davey v Harrow Corpn [1958] 1 QB 60, [1957] 2 All ER 305, 101 Sol Jo 405, CA, 7 Digest (Reissue) 268	37, 39, 43, 112
Davies v Williams (1851) 16 QB 546, 20 LJQB 330, 15 JP 550, 15 Jur 752, 36 (1) Digest (Reissue) 474	138
Davis v Marrable [1913] 2 Ch 421, 82 LJ Ch 510, 109 LT 33, 29 TLR 617, 57 Sol Jo 702, 19 Digest (Repl) 136	32
De Keyser's Royal Hotel Ltd v Spicer Bros Ltd and Minter (1914) 30 TLR 257, 36 (1) Digest (Reissue) 418.	12
Dickinson v Grand Junction Canal Co (1852) 7 Exch 282, 21 LJ Ex 241, 18 LTOS 258, 16 Jur 200, 47 Digest (Repl) 644.	16
Dimes v Petley (1850) 15 QB 276, 19 LJQB 449, 16 LTOS 1, 14 JP 653, 14 Jur 1132, 36 (1) Digest (Reissue) 472	145
Dobson v Blackmore (1847) 9 QB 991, 16 LJQB 233, 11 JP 601, 11 Jur 556, 36 (1) Digest (Reissue) 477	74
Dollman v A. and S. Hillman [1941] 1 All ER 355, CA, 36 (1) Digest (Reissue) 417:	59, 110
Doltis (J.) Ltd v Isaac Braithwaite & Sons (Engineers) Ltd [1957] 1 Lloyd's Rep 522	53
Draper v Sperring (1861) 10 CBNS 113, 30 LJMC 225, 4 LT 365, 25 JP 566, 9 WR 656, 36 (1) Digest (Reissue) 437	163
Dunne v North-Western Gas Board [1964] 2 QB 806, [1963] 3 All ER 916, [1964] 2 WLR 164, 107 Sol Jo 890, 62 LGR 197, CA, 25 Digest (Reissue) 524.	52, 91, 92
Dunton v Dover District Council (1978) 76 LGR 87	25, 26, 27, 106, 108, 132
Durell v Pritchard (1865) 1 Ch App 244, 35 LJ Ch 223, 13 LT 545, 14 WR 212, sub nom. Darrell v Pritchard 12 Jur NS 16, LJJ, 28 (2) Digest (Reissue) 1002.	126, 127
Dwyer v Mansfield [1946] KB 437, [1946] 2 All ER 247, [1947] LJ 894, 175 LT 61, 62 TLR 401, 90 Sol Jo 443, 26 Digest (Repl) 488.	58, 61
Dymond v Pearce [1972] 1 QB 496, [1972] 1 All ER 1142, [1972] 2 WLR 633, 136 JP 397, 116 Sol Jo 62, [1972] RTR 169, CA, Digest Cont Vol D 381.	58, 61, 66, 71

E

Eastern and South African Telegraph Co Ltd v Cape Town Tramways Companies Ltd [1902] AC 381, [1900-3] All ER Rep Ext 1316, 71 LJPC 122, 88 LT 457, 50 WR 657, 18 TLR 523, PC, 36 (1) Digest (Reissue) 448	14, 107
Eastwood v Lever (1863) 4 De G J & Sm 114, 3 New Rep 232, 33 LJ Ch 355, 9 LT 615, 28 JP 212, 12 WR 195, 28 (2) Digest (Reissue) 1018	131
Eden and Thwaites v Deakin (1887) 57 LT 522, 52 JP 327, 3 TLR 757, 36 (1) Digest (Reissue) 488	96
Edgington v Swindon Corpn [1939] 1 KB 86, [1938] 4 All ER 57, 108 LJKB 51, 159 LT 550, 102 JP 473, 55 TLR 12, 82 Sol Jo 931, 36 LGR 650, 38 Digest (Repl) 12	88
Elliotson v Feetham (1835) 2 Bing NC 134, 1 Hodg 259, 2 Scott 174, 19 Digest (Repl) 195	97
Elmore v Pirrie (1887) 57 LT 333, 28 (2) Digest (Reissue) 1015	131
Emanuel (H. and N.) Ltd v Greater London Council [1971] 2 All ER 835, 115 Sol Jo 226, 69 LGR 346, [1971] 2 Lloyd's Rep 36, CA, 36 (1) Digest (Reissue) 133:	53
Embrey v Owen (1851) 6 Exch 353, 20 LJ Ex 212, 17 LTOS 79, 15 Jur 633, 36 (1) Digest (Reissue) 410	16, 106
Esso Petroleum Co Ltd v Southport Corpn [1956] AC 218, [1955] 3 All ER 864, [1956] 2 WLR 81, 120 JP 54, 100 Sol Jo 32, 54 LGR 91, [1955] 2 Lloyd's Rep 655, HL, 36 (1) Digest (Reissue) 412	77

F

Fanshawe v London and Provincial Dairy Co (1888) 4 TLR 694, 36 (1) Digest (Reissue) 403	25
Farnworth v Manchester Corpn. <i>See</i> Manchester Corpn v Farnworth	
Farrell v John Mowlem & Co Ltd [1954] 1 Lloyd's Rep 437	61, 65, 71
Farrer v Nelson (1885) 15 QBD 258, 54 LJQB 385, 52 LT 766, 49 JP 725, 33 WR 800, 1 TLR 483, 25 Digest (Reissue) 405	44
Fay v Prentice (1845) 1 CB 828, 14 LJCP 298, 5 LTOS 216, 9 Jur 876, 36 (1) Digest (Reissue) 410	105
Federic v Perpetual Investments Ltd [1969] 2 DLR (3d) 50, [1969] 1 OR 186, 36 (1) Digest (Reissue) 452	28, 76
Field v South Australian Soccer Association [1953] SASR 224, 36 (1) Digest (Reissue) 421	24
Fishenden v Higgs and Hill Ltd (1935) 153 LT 128, [1935] 3 All ER Rep 435, 79 Sol Jo 434, CA, 19 Digest (Repl) 210	32, 128, 132
Fleming v Hislop (1886) 11 App Cas 686, 2 TLR 360, 13 R (HL) 43, 23 Sc LR 491, HL, 36 (1) Digest (Reissue) 406	133
Fletcher v Beale (1885) 28 Ch D 688, 54 LJ Ch 424, 52 LT 541, 33 WR 745, 1 TLR 233, 28 (2) Digest (Reissue) 1008	125
Fletcher v Rylands. <i>See</i> Rylands v Fletcher	
Fletcher v Smith (1877) 2 App Cas 781, 47 LJ QB 4, 37 LT 367, 42 JP 260, 26 WR 83, HL, 47 Digest (Repl) 654	37
Foster v Warblington UDC [1906] 1 KB 648, [1904-7] All ER Rep 366, 75 LJKB 514, 94 LT 876, 70 JP 233, 54 WR 575, 22 TLR 421, 4 LGR 735, CA, 32 Digest (Reissue) 617	37, 74
Francomb v Freeman (1868) LR 3 QB 251, 9 B & S 1, 37 LJMC 65, 18 LT 19, 32 JP 196, 16 WR 511, 36 (1) Digest (Reissue) 505	163
French v Auckland City Corpn [1974] 1 NZLR 340, 36 (1) Digest (Reissue) 454	38, 42, 43
Fritz v Hobson (1880) 14 Ch D 542, [1874-80] All ER Rep 75, 49 LJ Ch 321, 42 LT 225, 28 WR 459, 24 Sol Jo 366, 36 (1) Digest (Reissue) 410	11, 58, 63
Fulham Vestry v LCC [1897] 2 QB 76, 66 LJQB 515, 76 LT 691, 61 JP 440, 45 WR 620, 13 TLR 427, 41 Sol Jo 530, 36 (1) Digest (Reissue) 435	167

G

Galer v Morrissey [1955] 1 All ER 380, [1955] 1 WLR 110, 119 JP 165, sub nom. Morrissey v Galer 99 Sol Jo 113, 53 LGR 303, 36 (1) Digest (Reissue) 436	153, 156
Gartner v Kidman (1962-63) 108 CLR 12, [1962] ALR 620, 47 Digest (Repl) 646:	45
Gaskell v Bayley (1874) 30 LT 516, 38 JP 805, 36 (1) Digest (Reissue) 441	158
Gaunt v Fynney (1872) 8 Ch App 8, 42 LJ Ch 122, 27 LT 569, 37 JP 100, 21 WR 129, LC, 36 (1) Digest (Reissue) 417	26, 100, 136
Geddis v Proprietors of Bann Reservoir (1878) 3 App Cas 430, HL, 13 Digest (Reissue) 341	88
Gerrard v Crown [1921] 1 AC 395, [1920] All ER Rep 266, 90 LJPC 42, 124 LT 486, 37 TLR 110, PC, 36 (1) Digest (Reissue) 494	45
Gertsens v Municipality of Metropolitan Toronto (1973) 41 DLR (3d) 646, 2 OR (2d) 1, 36 (1) Digest (Reissue) 454	3
Giles v Walker (1890) 24 QBD 656, [1886-90] All ER Rep 501, 59 LJQB 416, 62 LT 933, 54 JP 599, 38 WR 782, 36 (1) Digest (Reissue) 462	38, 39, 43, 44
Glossop v Heston and Isleworth Local Board (1879) 12 Ch D 102, [1874-80] All ER Rep 836, 49 LJ Ch 89, 40 LT 736, 44 JP 36, 28 WR 111, CA, 16 Digest (Reissue) 363	93, 136, 167
Goldman v Hargrave [1967] 1 AC 645, [1966] 2 All ER 989, [1966] 3 WLR 513, 110 Sol Jo 527, [1966] 2 Lloyd's Rep 65, [1967] ALR 113, PC, 36 (1) Digest (Reissue) 124	19, 20, 37, 39, 40, 43, 44, 45, 71, 80

	PAGE
Goldsmid v Tunbridge Well Improvement Comrs (1866) 1 Ch App 349, 35 LJ Ch 382, 14 LT 154, 30 JP 419, 12 Jur NS 308, 14 WR 562, 36 (1) Digest (Reissue) 503	121
Goose v Bedford (1873) 21 WR 449, LC & LJ, 36 (1) Digest (Reissue) 417	25
Gosnell v Aerated Bread Co Ltd (1894) 10 TLR 661, 36 (1) Digest (Reissue) 502:	10
Gouriet v Union of Post Office Workers [1978] AC 435, [1977] 3 All ER 70, [1977] 3 WLR 300, 141 JP 552, 121 Sol Jo 543, HL, Digest Cont Vol E 169:	56, 135
Gourock Ropework Co v Greenock Corpn 1966 SLT 125.	82
Gower's Walk School Trustees and London, Tilbury and Southend Rly Co. <i>See</i> London, Tilbury and Southend Rly Co and Gower's Walk Schools Trustees, Re	
Gravesham Borough Council v Port of London Authority [1978] Ch 379, [1978] 3 All ER 853, [1978] 3 WLR 494, 143 JP 127	60, 63
Great Central Rly Co v Doncaster Rural Council (1917) 87 LJ Ch 80, 118 LT 19, 82 JP 33, 62 Sol Jo 212, 15 LGR 813, 36 (1) Digest (Reissue) 430	118
Greenock Corpn v Caledonian Rly Co [1917] AC 556, [1916-17] All ER Rep 426, 86 LJPC 185, 117 LT 483, 81 JP 269, 33 TLR 531, 62 Sol Jo 8, 15 LGR 749, HL, 36 (1) Digest (Reissue) 457	96
Greenslade v Halliday (1830) 6 Bing 379, 4 Moo & P 71, 8 LJOS CP 124, 36 (1) Digest (Reissue) 474	144
Greyvensteyn v Hattingh [1911] AC 355, 80 LJPC 158, 104 LT 360, 27 TLR 358, PC, 36 (1) Digest (Reissue) 494	45
Griffith v Richard Clay & Sons Ltd [1912] 2 Ch 291, 81 LJ Ch 809, 106 LT 963, CA, 19 Digest (Repl) 212	114
Grosvenor Hotel Co v Hamilton [1894] 2 QB 836, [1891-4] All ER Rep 1188, 63 LJQB 661, 71 LT 362, 42 WR 626, 10 TLR 506, 9 R 819, CA, 36 (1) Digest (Reissue) 496	37, 83

H

Haddon v Lynch [1911] VLR 230, 36 (1) Digest (Reissue) 421	24
Haigh v Deudraeth RDC [1945] 2 All ER 661, 174 LT 243, 110 JP 97, 89 Sol Jo 579, 44 LGR 24, 36 (1) Digest (Reissue) 456	37, 167
Hale v Jennings Bros [1938] 1 All ER 579, 82 Sol Jo 193, CA, 36 (1) Digest (Reissue) 452	48, 49, 76, 95
Hall v Lichfield Brewery Co (1880) 49 LJ Ch 655, 43 LT 380, 45 JP 53, 19 Digest (Repl) 64	34
Halsey v Esso Petroleum Co Ltd [1961] 2 All ER 145, [1961] 1 WLR 683, 105 Sol Jo 209, 36 (1) Digest (Reissue) 419	8, 25, 28, 29, 37, 49, 58, 65, 76, 116, 118, 132
Hammersmith and City Rly Co v Brand (1869) LR 4 HL 171, [1861-73] All ER Rep 60, 38 LJQB 265, 21 LT 238, 34 JP 36, 18 WR 12, HL, sub nom. Brand v Hammersmith and City Rly Co (1867) LR 2 QB 223, Ex Ch, 11 Digest (Reissue) 106	25, 88
Hammersmith London Borough v Magnum Automated Forecourts Ltd [1978] 1 All ER 1219, [1978] 1 WLR 50, 121 Sol Jo 529, 142 JP 130, 76 LGR 159, CA, Digest Cont Vol E 465	159, 172
Hammond v St Pancras Vestry (1874) LR 9 CP 316, 43 LJCP 157, 30 LT 296, 38 JP 456, 22 WR 826, 38 Digest (Repl) 15	91
Hampstead and Suburban Properties Ltd v Diomedous [1969] 1 Ch 248, [1968] 3 All ER 545, [1968] 3 WLR 990, 112 Sol Jo 656, 19 P & CR 880, 36 (1) Digest (Reissue) 420	24, 75, 133
Hardaker v Idle District Council [1896] 1 QB 335, [1895-9] All ER Rep 311, 65 LJQB 363, 74 LT 69, 60 JP 196, 44 WR 323, 12 TLR 207, 40 Sol Jo 273, CA, 25 Digest (Reissue) 524	81
Hardman v Holberton [1866] WN 379, 36 (1) Digest (Reissue) 421	24
Harper v G.N. Haden & Sons [1933] Ch 298, [1932] All ER Rep 59, 102 LJ Ch 6, 148 LT 303, 96 JP 525, 76 Sol Jo 849, 31 LGR 18, CA, 11 Digest (Reissue) 168	60, 63
Harris v Carnegie's Pty Ltd [1917] VLR 95, 36 (1) Digest (Reissue) 470	11

	PAGE
Harris v James (1876) 45 LJQB 545, 35 LT 240, 40 JP 663, 36 (1) Digest (Reissue) 490	77
Harrison v Southwark and Vauxhall Water Co [1891] 2 Ch 409, [1891-4] All ER Rep 372, 60 LJ Ch 630, 64 LT 864, 36 (1) Digest (Reissue) 409	10, 91
Harrold v Watney [1898] 2 QB 320, [1895-9] All ER Rep 276, 67 LJQB 771, 78 LT 788, 46 WR 642, 14 TLR 486, 42 Sol Jo 609, CA, 36 (1) Digest (Reissue) 191:	59, 75, 110
Harrop v Hirst (1868) LR 4 Exch 43, 38 LJ Ex 1, 19 LT 426, 33 JP 103, 17 WR 164, 36 (1) Digest (Reissue) 410	105
Hawley v Steele (1877) 6 Ch D 521, 46 LJ Ch 782, 37 LT 625, 36 (1) Digest (Reissue) 503	119
Heap v Ind Coope and Allsopp Ltd [1940] 2 KB 476, [1940] 3 All ER 634, 109 LJKB 724, 163 LT 169, 56 TLR 948, 84 Sol Jo 536, CA, 31 (2) Digest (Reissue) 647	70, 78
Heath v Brighton Corp'n (1908) 98 LT 718, 24 TLR 414, 72 JP 225, 36 (1) Digest (Reissue) 469	25
Heather v Pardon (1877) 37 LT 393, 36 (1) Digest (Reissue) 418	25
Hickey v Electric Reduction Co of Canada Ltd (1970) 21 DLR (3d) 368, Digest Cont Vol D 1020	64
Higgins v Betts [1905] 2 Ch 210, 74 LJ Ch 621, 92 LT 850, 53 WR 549, 21 TLR 552, 49 Sol Jo 535, 19 Digest (Repl) 134	31
Hoare & Co v McAlpine [1923] 1 Ch 167, [1922] All ER Rep 759, 92 LJ Ch 81, 128 LT 526, 39 TLR 97, 67 Sol Jo 146, 36 (1) Digest (Reissue) 460	13, 25, 37
Hole v Barlow (1858) 4 CBNS 334, 27 LJCP 207, 22 JP 530, 4 Jur NS 1019, 6 WR 619, sub nom. Holl v Barlow 31 LTOS 134, 36 (1) Digest (Reissue) 423	7, 28
Holl v Barlow. <i>See</i> Hole v Barlow	
Holland v Lazarus (1897) 66 LJQB 285, 61 JP 262, 13 TLR 207, 41 Sol Jo 275, 36 (1) Digest (Reissue) 497	105
Holliday v National Telephone Co [1899] 2 QB 392, 68 LJQB 1016, 81 LT 252, 47 WR 658, 15 TLR 483, CA, 34 Digest (Repl) 205	82
Hollywood Silver Fox Farm Ltd v Emmett [1936] 2 KB 468, [1936] 1 All ER 825, 105 LJKB 829, 155 LT 288, 52 TLR 611, 80 Sol Jo 488, 36 (1) Digest (Reissue) 471	15
Honeywill and Stein Ltd v Larkin Bros Ltd [1934] 1 KB 191, [1933] All ER Rep 77, 103 LJKB 74, 150 LT 71, 50 TLR 56, CA, 34 Digest (Repl) 204	81
Hooper v Rogers [1975] Ch 43, [1974] 3 All ER 417, [1974] 3 WLR 329, 118 Sol Jo 600, 28 P & CR 272, CA, 36 (1) Digest (Reissue) 445	5, 6, 73, 124, 125
Horton v Colwyn Bay and Colwyn UDC [1908] 1 KB 327, 77 LJKB 215, 98 LT 547, 72 JP 57, 24 TLR 220, 52 Sol Jo 158, 6 LGR 211, CA, 11 Digest (Reissue) 161:	113
Hortons' Estate Ltd v James Beattie Ltd [1927] 1 Ch 75, 96 LJ Ch 15, 136 LT 218, 42 TLR 701, 70 Sol Jo 917, 19 Digest (Repl) 151	32
Houldershaw v Martin (1885) 1 TLR 323, 36 (1) Digest (Reissue) 435	155
Howard v Walker [1947] KB 860, [1947] 2 All ER 197, [1947] LJR 1366, 177 LT 326, 63 TLR 518, 91 Sol Jo 494, 31 (2) Digest (Reissue) 649	3
Howard Electric Ltd v A.J. Mooney Ltd [1974] 2 NZLR 762	38, 76
Hubbard v Pitt [1976] QB 142, [1975] 3 All ER 1, [1975] 3 WLR 201, [1975] 1 CR 308, 119 Sol Jo 393, CA, 36 (1) Digest (Reissue) 433	5, 30, 119
Hughes v Lord Advocate [1963] AC 837, [1963] 1 All ER 705, [1963] 2 WLR 779, 107 Sol Jo 232, [1963] SC 31, [1963] SLT 150, HL, 36 (1) Digest (Reissue) 65	111
Hughes v Percival (1883) 8 App Cas 443, [1881-5] All ER Rep 44, 52 LJQB 719, 49 LT 189, 47 JP 772, 31 WR 725, HL, 7 Digest (Reissue) 290	81
Hulley v Silversprings Bleaching and Dyeing Co [1922] 2 Ch 268, [1922] All ER Rep 683, 91 LJ Ch 207, 126 LT 499, 86 JP 30, 66 Sol Jo 195, 47 Digest (Repl) 679, 680	85
Humphries v Brogden (1850) 12 QB 739, 20 LJQB 10, 16 LTOS 457, 15 Jur 124, 33 Digest (Repl) 732	54
Humphries v Cousins (1877) 2 CPD 239, [1874-80] All ER Rep 313, 46 LJQB 440, 36 LT 180, 41 JP 280, 25 WR 371, 36 (1) Digest (Reissue) 455	18, 37, 80, 111
Hurdman v North Eastern Rly Co (1878) 3 CPD 168, [1874-80] All ER Rep 735, 47 LJQB 368, 38 LT 339, 26 WR 489, CA, 36 (1) Digest (Reissue) 456	45
Husey v Bailey (1895) 11 TLR 221, 36 (1) Digest (Reissue) 417	25

I

Ibbotson v Peat (1865) 3 H & C 644, 6 New Rep 124, 34 JL Ex 118, 12 LT 313, 29 JP 344, 11 Jur NS 394, 13 WR 691, 36 (1) Digest (Reissue) 492	15
Ilford UDC v Beal [1925] 1 KB 671, [1925] All ER Rep 361, 94 LJKB 402, 133 LT 303, 89 JP 77, 41 TLR 317, 23 LGR 260, 36 (1) Digest (Reissue) 462	18
Imperial Gas Light and Coke Co v Broadbent (1859) 7 HL Cas 600, 29 LJ Ch 377, 34 LTOS 1, 23 JP 675, 5 Jur NS 1319, HL, 11 Digest (Reissue) 158	120
Isenberg v East India House Estate Co (1863) 3 De GJ & Sm 263, 3 New Rep 345, 33 LJ Ch 392, 9 LT 625, 28 JP 228, 10 Jur NS 221, 12 WR 450, 28 (2) Digest (Reissue) 999	126, 127
Isgood-Jones v Llanrwst UDC. <i>See</i> Jones v Llanrwst UDC	
Iveson v Moore (1699) 1 Ld Raym 486, Carth 451, Comb 480, 1 Com 58, Holt KB 10, 1 Salk 15, Willes 74 n, sub nom. Jeveson v Moor 12 Mod Rep 262, 36 (1) Digest (Reissue) 481	63

J

Jackson v Pesked (1813) 1 M & S 234, 36 (1) Digest (Reissue) 475	74
Jacobs v LCC [1950] AC 361, [1950] 1 All ER 737, 114 JP 204, 66 (pt 1) TLR 659, 94 Sol Jo 318, 48 LGR 323, HL, 36 (1) Digest (Reissue) 110	69, 75
James v Hayward (1630) Cro Car 184, W Jo 221, 36 (1) Digest (Reissue) 472	145, 146
Jeffries v Williams (1850) 5 Exch 792, 20 LJ Ex 14, 16 LTOS 196, 36 (1) Digest (Reissue) 477	74
Jeveson v Moor. <i>See</i> Iveson v Moore	
Job Edwards Ltd v Birmingham Navigations [1924] 1 KB 341, 93 LJKB 261, 130 LT 522, 40 TLR 88, 68 Sol Jo 501, CA, 36 (1) Digest (Reissue) 486	19, 79, 140
Jolly v Kine. <i>See</i> Kine v Jolly.	
Jones v Chappell (1875) LR 20 Eq 539, 44 LJ Ch 658, 36 (1) Digest (Reissue) 476	75
Jones v Jones (1862) 2 H & C 1, 31 LJ Ex 506, 8 Jur NS 1132, 11 Digest (Reissue) 49	138
Jones v Llanrwst UDC [1911] 1 Ch 393, [1908-10] All ER Rep 922, 80 LJ Ch 145, 103 LT 751, 75 JP 68, sub nom. Isgood-Jones v Llanrwst UDC 27 TLR 133, 55 Sol Jo 125, 9 LGR 222, 36 (1) Digest (Reissue) 455	37, 74, 137
Jones v Pritchard [1908] 1 Ch 630, [1908-10] All ER Rep 80, 77 LJ Ch 405, 98 LT 386, 24 TLR 309, 36 (1) Digest (Reissue) 462	55, 140
Jones v Williams (1843) 11 M & W 176, 12 LJ Ex 249, 36 (1) Digest (Reissue) 474: 140, 141, 143	
Jordeson v Sutton, Southcoates and Drypool Gas Co [1899] 2 Ch 217, 68 LJ Ch 457, 80 LT 815, 63 JP 692, 15 TLR 374, CA, 28 (2) Digest (Reissue) 1005.	54

K

Kelsen v Imperial Tobacco Co Ltd [1957] 2 QB 334, [1957] 2 All ER 343, [1957] 2 WLR 1007, 101 Sol Jo 446, 31 (1) Digest (Reissue) 235	30
Kennard v Cory Bros & Co Ltd [1922] 2 Ch 1, 91 LJ Ch 452, 127 LT 137, 38 TLR 489, CA, 28 (2) Digest (Reissue) 1000	128
Kennaway v Thompson [1980] 3 All ER 329, [1980] 3 WLR 361, 124 Sol Jo 378, CA: 99, 124, 131, 132	
Kenny v Preen [1963] 1 QB 499, [1962] 3 All ER 814, [1962] 3 WLR 1233, 106 Sol Jo 854, CA, 31 (1) Digest (Reissue) 363	83
Kent v Dominion Steel and Coal Corp'n (1965) 49 DLR (2d) 241, 36 (1) Digest (Reissue) 446	9
Kent County Council v Batchelor [1978] 3 All ER 980, [1979] 1 WLR 213, 143 JP 50, 122 Sol Jo 47, 76 LGR 714, 38 P & CR 185, Digest Cont Vol E 170	136
Kiddle v City Business Properties Ltd [1942] 1 KB 269, [1942] 2 All ER 216, 111 LJKB 196, 166 LT 302, 36 (1) Digest (Reissue) 463	51, 100
Kidgill v Moor (1850) 9 CB 364, 1 LM & P 131, 19 LJCP 177, 14 LTOS 443, 14 Jur 790, 36 (1) Digest (Reissue) 477	74

Kine v Jolly [1905] 1 Ch 480, 74 LJ Ch 174, 92 LT 209, 53 WR 462, 21 TLR 128, 49 Sol Jo 164, CA, affd. sub nom. Jolly v Kine [1907] AC 1, 76 LJ Ch 1, 95 LT 656, 23 TLR 1, 51 Sol Jo 11, HL, 36 (1) Digest (Reissue) 414	32
Kinney v Hove Corp'n (1950) 49 LGR 696, 94 Sol Jo 541, 40 Digest (Repl) 360:	11, 24, 125
Kirby v Sadgrove (1797) 1 Bos & P 13, 3 Anst 892, 36 (1) Digest (Reissue) 471:	139, 144
Knight v Isle of Wight Electric Light and Power Co (1904) 73 LJ Ch 299, 90 LT 410, 68 JP 266, 20 TLR 173, 7 LGR 390, 36 (1) Digest (Reissue) 470	25
Kraemers v A-G for Tasmania [1966] Tas SR 113	68

L

Lagan Navigation Co v Lambeg Bleaching Dyeing and Finishing Co [1927] AC 226, [1926] All ER Rep 230, 96 LJPC 25, 136 LT 417, 91 JP 46, 25 LGR 1, HL, 36 (1) Digest (Reissue) 494.	183
Lamb v Camden London Borough Council (1981) Times, 19 March.	112
Lambert (A.) Flat Management Ltd v Lomas [1981] 2 All ER 280, (1981) 125 Sol Jo 218	159, 162
Lambeth London Borough Council v Stubbs [1980] JPL 519, 255 Estates Gazette 789	165, 166
Lambton v Mellish [1894] 3 Ch 163, 63 LJ Ch 929, 71 LT 385, 58 JP 835, 43 WR 5, 10 TLR 600, 38 Sol Jo 647, 8 R 807, 36 (1) Digest (Reissue) 488	97
Lane v Capsey [1891] 3 Ch 411, 61 LJ Ch 55, 65 LT 375, 40 WR 87, 19 Digest (Repl) 200	138, 146
Langbrook Properties Ltd v Surrey County Council [1969] 3 All ER 1424, [1970] 1 WLR 161, 113 Sol Jo 983, 68 LGR 268, 36 (1) Digest (Reissue) 124	16, 54
Lavery v Pursell (1888) 39 Ch D 508, 57 LJ Ch 570, 58 LT 846, 37 WR 163, 4 TLR 353, 12 Digest (Reissue) 213	131
Laws v Florinplace [1981] 1 All ER 659	30, 119
Leakey v National Trust for Places of Historic Interest or Natural Beauty [1980] QB 485, [1980] 1 All ER 17, [1980] 2 WLR 65, 123 Sol Jo 606, CA	9, 18, 20, 21, 39, 40, 42, 43, 44, 46, 54, 71, 80, 99
Leanse v Lord Egerton [1943] 1 KB 323, [1943] 1 All ER 489, 112 LKKB 273, 168 LT 218, 59 TLR 191, 36 (1) Digest (Reissue) 452.	59
Leads Industrial Co-operative Society Ltd v Slack Ltd [1924] AC 851, [1924] All ER Rep 259, 93 LJ Ch 436, 131 LT 710, 40 TLR 745, 68 Sol Jo 715, HL, 30 Digest (Reissue) 258	129
Leeman v Montagü [1936] 2 All ER 1677, 80 Sol Jo 691, 36 (1) Digest (Reissue) 419	24, 133
Lemmon v Webb [1895] AC 1, [1891-4] All ER Rep 749, 64 LJ Ch 205, 71 LT 647, 59 JP 564, 11 TLR 81, 11 R 116, HL, 36 (1) Digest (Reissue) 474	138, 140, 141, 142, 144
Lester-Travers v City of Frankston [1970] VR 2, 36 (1) Digest (Reissue) 444	30
Letterkenny Town Comrs v Collins (1891) 28 LR Ir 235, 36 (1) Digest (Reissue) 514:	164
Lillywhite v Trimmer (1867) 36 LJ Ch 525, 16 LT 318, 15 WR 763, 36 (1) Digest (Reissue) 500	120, 122
Litchfield-Speer v Queen Anne's Gate Syndicate (No. 2) Ltd [1919] 1 Ch 407, [1918-19] All ER Rep 1075, 88 LJ Ch 137, 120 LT 565, 35 TLR 253, 63 Sol Jo 390, 30 Digest (Reissue) 205	125
Liverpool City Council v Irwin [1977] AC 239, [1976] 2 All ER 39, [1976] 2 WLR 562, 120 Sol Jo 267, 74 LGR 392, 32 P & CR 43, HL, Digest Cont Vol E 366:	51
Liverpool Corp'n v H. Coghill & Son [1918] 1 Ch 307, 87 LJ Ch 186, 118 LT 336, 82 JP 129, 34 TLR 159, 16 LGR 91, 19 Digest (Repl) 75	85
Llandudno UDC v Woods [1899] 2 Ch 705, [1895-9] All ER Rep 895, 68 LJ Ch 623, 81 LT 170, 63 JP 775, 48 WR 43, 42 Sol Jo 689, 36 (1) Digest (Reissue) 500	120
Lodie v Arnold (1697) 2 Salk 458, 36 (1) Digest (Reissue) 472	138, 144
London, Brighton and South Coast Rly Co v Truman (1886) 11 App Cas 45, [1881-5] All ER Rep 134, 55 LJ Ch 354, 54 LT 250, 50 JP 388, 34 WR 657, HL, 36 (1) Digest (Reissue) 496	24, 87, 88