

Hepple & Matthews

Tort

Cases &
Materials

Second edition

Butterworths

Tort: Cases and Materials

Second edition

B. A. HEPPLER, MA, LLB

*of Gray's Inn, Barrister;
a Chairman of Industrial Tribunals (England and Wales);
Honorary Professor of Law,
University of Kent at Canterbury*

M. H. MATTHEWS, MA, LLB, BCL

*of Gray's Inn, Barrister;
Fellow of University College, Oxford*

London
Butterworths
1980

England	Butterworth & Co (Publishers) Ltd
London	88 Kingsway, WC2B 6AB
Australia	Butterworths Pty Ltd
Sydney	586 Pacific Highway, Chatswood, NSW 2067
	Also at Melbourne, Brisbane, Adelaide and Perth
Canada	Butterworth & Co (Canada) Ltd
Toronto	2265 Midland Avenue, Scarborough, M1P 4S1
New Zealand	Butterworths of New Zealand Ltd
Wellington	77-85 Customhouse Quay
South Africa	Butterworth & Co (South Africa) (Pty) Ltd
Durban	152-154 Gale Street
USA	Butterworth (Publishers) Inc
Boston	10 Tower Office Park, Woburn, Mass 01801

© B. A. Hepple and M. H. Matthews 1980

All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, including photocopying and recording, without the written permission of the copyright holder, application for which should be addressed to the publisher. Such written permission must also be obtained before any part of this publication is stored in a retrieval system of any nature.

This book is sold subject to the Standard Conditions of Sale of Net Books and may not be re-sold in the UK below the net price fixed by Butterworths for the book in our current catalogue.

ISBN Casebound	0 406	594 82 1
Limp	0 406	594 83 X

Preface to second edition

The basic structure and approach of this edition is the same as the first edition, although we have retitled chapter 2 to indicate that it covers forms of intentional interference with, as well as intentional injury to, the person, chapter 9 to refer to exclusion of liability, and chapter 20 to embrace wider issues of compensation in addition to insurance.

Although considerations of space have dictated selectivity, the extracts and notes have been revised to take account of the many case law and statutory developments of the past 6 years. This has involved sacrificing a few old favourites to make room for the new material. One obviously important decision is *Anns v Merton London Borough Council*. It is of relevance to various issues, but we felt that it could not easily be split up and would be better set out in one lengthy extract, preferably at a relatively early stage in chapter 3; thus it appears under the heading 'omissions' near the beginning of that chapter, where it replaces the extracts from *East Suffolk Rivers Catchment Board v Kent* [1941] AC 74; [1940] 4 All ER 527 and *Dutton v Bognor Regis Urban District Council* [1972] 1 QB 373; [1972] 1 All ER 462. Similarly, *Ross v Caunters (a firm)*, which was reported as we were going to press, raises important issues germane to both chapters 3 and 15 and for convenience has been set out in the latter chapter. Among the other new cases from which we have given extracts are *Batty v Metropolitan Property Realisations Ltd* (chap. 3), *McCall v Abelesz* (chap. 8), *Froom v Butcher* (chap. 9), *Cummings v Granger* (chap. 10), *Lord Bernstein of Leigh v Skyviews and General Ltd* and *Leakey v National Trust for Places of Historic Interest or Natural Beauty* (chap. 11), *Lim Poh Choo v Camden and Islington AHA* and *Pickett v British Rail Engineering Ltd* (chap. 12), *Erven Warnink BV v J. Townend & Sons (Hull) Ltd* (chap. 14), *Esso Petroleum Co Ltd v Mardon* (chap. 15), *Malone v Commissioner of Police of the Metropolis (No. 2)* (chap. 16) and *Rose v Plenty* (chap. 18). Among the new statutes are relevant parts of the Congenital Disabilities (Civil Liability) Act 1976 (chap. 3), the Unfair Contract Terms Act 1977 (chap. 9), the Fatal Accidents Act 1976 (chap. 13), the Trade Union and Labour Relations Acts 1974 and 1976 (chap. 14), and the Civil Liability (Contribution) Act 1978 (chap. 19), and we have also included the revised Criminal Injuries Compensation Scheme (chap. 20).

The wealth of material concerning the operation of tort and its relation to other compensation systems contained in the 3 volumes of the Report of the Royal Commission on Civil Liability and Compensation for Personal Injury, has enabled us to expand chapter 1 to include some of these materials and also to replace the former appendices with a rewritten section 5 of chapter 20 on other compensation systems and a new section 6 of that chapter on the future of compensation. Many of the detailed recommendations of the Royal Commission, as well as proposals by the Law

Commission and other official committees, such as the Faulks Committee on Defamation, will be found in relevant parts of the book, although for reasons of space the Royal Commission's recommendations relating to road injuries and work injuries have not been set out in any detail. A beginning has been made in the literature of recent years towards filling the factual vacuum about the operation of tort law, which we mentioned in our first edition preface, and we have drawn on this literature — for example, in regard to the settlement process (chap. 20). We are grateful to all those who have made suggestions for improvements and assisted us in the preparation of this edition.

We have endeavoured to state the law as at 1 November 1979 but have on occasions managed to include some later material (e.g. *Leakey's* case (chap. 11)). Out of the cases which were too late for inclusion, attention is drawn in particular to the following: *Chatterton v Gerson* (1980) Times, 7th February and *Allen v Commissioner of Metropolitan Police* (1980) Times, 25th March (chap. 2); *Lambert v Lewis* [1980] 1 All ER 978; [1980] 2 WLR 299 (chap. 3); *Budden v BP Oil Ltd* (1980) Times, 9th May (chap. 4); *Page Motors Ltd v Epsom and Ewell Borough Council* (1980) Times, 30th January (chap. 11); *Nabi v British Leyland (UK) Ltd* [1980] 1 All ER 667; [1980] 1 WLR 529 and *Dodd Properties (Kent) Ltd v Canterbury City Council* [1980] 1 All ER 928; [1980] 1 WLR 433 (chap. 12); *Lambert v Lewis* (chap. 15); *Electrical, Electronic, Telecommunication and Plumbing Union v Times Newspapers Ltd* [1980] 1 All ER 1097 (chap. 16).

B.A.H.
M.H.M.
May 1980

Preface to first edition

This is a collection of cases, statutes and other materials on the English law of tort, intended for use by those studying for a first degree in law. It has two distinctive features: the arrangement of the subject matter according to an interests classification of the law of tort, and a contextual approach. An attempted justification and explanation of the arrangement will be found in the introduction which, unlike this preface, is intended to be read by students. The contextual approach will, we hope, help to satisfy a need which has been widely expressed by teachers and has gained added relevance with the establishment, in late 1972, of the Royal Commission on Civil Liability and Compensation for Personal Injury.

However, in attempting to compile an English-based sourcebook, more in the spirit of Llewellyn than of Langdell, we have had to face some major constraints. These stem from the present methods and content of teaching in British law schools, and the almost complete absence of empirical research on the operation of tort law in this country.

Teaching methods generally relegate source materials to second place after the textbook. This has consequences for law publishing, and our publishers, wisely from the commercial viewpoint, insisted upon limiting the maximum size for this book so as to enable them to keep the price within the range of the average student's limited resources. This means that, although we want to encourage its use for case-method teaching (indeed it originated as a set of materials for teaching of this type at Nottingham University between 1966 and 1968), this sourcebook should be used in conjunction with the standard textbooks and periodical literature. (A number of articles and notes are referred to in the text and in appendix H.) Reasons of space, as well as our determination to avoid writing a mini-textbook, have led us to keep our own comments to a minimum. In addition to the general introduction, most chapters have a brief introductory explanation of their scope and the notes which follow the extracted source materials are used mainly to illustrate points raised in the materials or to digest other relevant materials.

Another constraint has been in respect of subject-matter. Tort law, by its nature as a residual legal category, is frequently used as a garbage can for other overcrowded law school courses. Topics with little functional connection are simply lumped together. The contents of this sourcebook are something of a compromise between a purely functional study of subjects such as compensation for accidents, on the one hand, and the more traditional conceptual classification. The basis of this compromise is our interests classification, and the actual topics covered are we believe representative of those being taught in most law schools under rubrics such as tort or common law. Answers by teachers at 17 law schools to a questionnaire which we circulated in July 1971 (briefly noted in (1972) 12

JSPTL (NS) 189) indicated that most of the topics in part I and in chapters 13 and 15 of part II and chapters 18 and 19 of part III are exclusively taught in tort courses, while the topics in chapter 14 (deliberate interference with interests in trade or business), and 16 (defamation with an excursus on privacy), and 17 (malicious abuse of power) usually overlap with or, occasionally, are taught exclusively in other courses such as labour law, business law and constitutional and administrative law. Our reasons for devoting as much space as we have to these latter topics is partly pragmatic, being based on the present structure of tort courses, and partly dictated by our interests classification which would be seriously distorted if these topics were excluded. The most glaring omissions are those torts (conversion, detainee, trespass to goods) which relate to misappropriation of property. Apart from reasons of space, our justification for this important gap is that this is a self-contained subject nearly always taught outside conventional tort courses, in subjects such as personal property or mercantile or consumer law.

Perhaps the most important of all the constraints, which has meant that the main focus is still upon the appellate judicial process, is the absence of published research on the operation of tort law. We raise several questions at the end of the first chapter about the functioning of tort law but we have to confess that these cannot be adequately answered simply by using the insurance materials in chapter 20 and the statistical information in appendices A to E. It will be several years yet before we can expect a satisfactory factual basis for discussing such questions in a British context. We could have reproduced some of the considerable amount of American research on these matters, but we have resisted the temptation to abuse comparative legal study in this way. There is also the question of space and of technique: since this book is addressed to law students the insurance materials and statistics which are included are there not as the primary object of study, but in order to make the law intelligible.

Many of our colleagues, through their writings and by discussion with us, have contributed to our own understanding and so to this book, in a general way. Those whose valuable help has been specific are Professor J. C. Smith, who inspired and made possible the use of a first draft of part of these materials in case-method teaching at Nottingham, Professor Glanville Williams, who allowed us access to his annotations and cuttings, Professor Jeffrey O'Connell, who commented on appendix G, Mr Anthony D. Woolf, who provided the materials on which chapter 1 is based and kindly read through a draft of that chapter, Mr D. R. Harris who provided some information for appendices F and H, Mr A. I. Ogus, who made comments on chapters 3, 5, 7, 9, 10 and 11, and Mrs Tanya Parker and Mr Rex Bretten, whose course materials on the law of defamation formed the foundation for parts of chapter 16. None of them, however, bears responsibility for our mistakes or misjudgments. A special tribute must be paid to our publishers for the extraordinary care and patience which they have shown these past six years. We have endeavoured to present the law as at 1 May 1974, by including an addendum which mentions some developments which could not be incorporated in the text.

Acknowledgments

The publishers and authors wish to thank the following for permission to reprint material from the sources indicated:

Professor P. S. Atiyah: *Accidents, Compensation and the Law*, and *Vicarious Liability in the Law of Torts*.

Cambridge University Press and contributors: *Cambridge Law Journal*, 1956, pp. 186, 198; 1962, pp. 179–180; 1964, pp. 8–9; 1967, p. 66.

Charles Knight & Co Ltd: *Local Government Reports*.

Estates Gazette: *Estates Gazette*, 1966, Vol. 197, pp. 877–879.

Guardian Royal Exchange Assurance Group: Extracts from Liability Policy, Business Interruption Policy and Libel Policy.

The Controller of Her Majesty's Stationery Office: Extracts from official reports Cmnd. 5012, Cmnd. 5909, Cmnd. 6428, Cmnd. 6831, Cmnd. 7054, and Law Commission Nos. 21 and 56; Compensation of Victims of Uninsured Drivers: Text of the Agreement dated 22 November 1972 (Motor Insurers' Bureau); Criminal Injuries Compensation Scheme (revised 1979).

Incorporated Council of Law Reporting for England and Wales: *The Law Reports*; *The Weekly Law Reports*.

Lloyd's of London Press Ltd: *Lloyd's Law Reports*.

Michigan Law Review Association: *Michigan Law Review*, 1953, Vol. 52, p. 7.

Professor M. A. Millner: *Negligence in Modern Law*.

Modern Law Review Limited and contributors: *Modern Law Review*, 1951, Vol. 14, pp. 505–506; 1960, Vol. 23, p. 233; 1966, Vol. 29, p. 31; 1970, Vol. 33, p. 391; 1976, Vol. 39, pp. 500–504, 509–511; 1977, Vol. 40, pp. 151–153.

Scottish Council of Law Reporting: *Session Cases*.

Stevens & Sons Ltd and contributors: *Law Quarterly Review*, 1961, Vol. 77, p. 196; 1978, Vol. 94, pp. 64–65, 440; 1979, Vol. 95, pp. 127–128.

Sweet & Maxwell Ltd and editors: *Salmond on Torts*; *Winfield & Jolowicz on Tort*; *Clerk & Lindsell on Torts*.

Times Publishing Co Ltd: *Times Law Reports*.

West Publishing Co: *North Eastern Reporter*.

Professor Gl. Williams: "Two Cases on False Imprisonment" in *Law, Justice and Equity* chapter 5, p. 51 and (1951) 4 Current LP 137.

Table of statutes

References in this Table to 'Statutes' are to Halsbury's Statutes of England (Third Edition) showing the page at which the annotated text of the Act will be found. Page references printed in bold type indicate where the Act is set out in part or in full.

	PAGE		PAGE
Administration of Justice Act 1970 (40 <i>Statutes</i> 390)		Civil Aviation Act 1949 (2 <i>Statutes</i> 514)	
s. 40.....	595	s. 40.....	376 , 378, 379, 380
Administration of Justice Act 1977 (27 <i>Statutes</i> 304)		Civil Evidence Act 1968 (12 <i>Statutes</i> 910)	
s. 27.....	414	s. 11.....	55, 162
Administration of Justice (Miscel- laneous Provisions) Act 1933 (25 <i>Statutes</i> 749)		13.....	163, 569 , 570
s. 6.....	547, 589	Civil Liability (Contribution) Act 1978 (48 <i>Statutes</i> 357)	
Air Force Act 1955 (29 <i>Statutes</i> 335) ..	586	s. 1.....	673
Air Navigation Act 1920		2.....	673
s. 9.....	378	3, 4.....	669, 674 , 676
Animals Act 1971 (41 <i>Statutes</i> 84)....	333, 365-369	6, 7.....	674
s. 2.....	369, 370, 371, 372	Coal Mines Act 1911	
5.....	369, 370, 371, 372	s. 2.....	264
8.....	333	55.....	311
Army Act 1955 (29 <i>Statutes</i> 168).....	586	Coal Mines Regulation Act 1887 (22 <i>Statutes</i> 42).....	48, 49, 50
Assurance Companies Act 1909.....	692	Coal Mines Regulation Act 1908 (22 <i>Statutes</i> 70).....	48
Ayr Harbour Amendment Act 1879		Common Law Procedure Act 1852... ..	32, 38
s. 10.....	78	Commons Registration Act 1965 (3 <i>Statutes</i> 919).....	368
Bankruptcy Act 1914 (3 <i>Statutes</i> 33)		Companies Act 1929.....	687
s. 130.....	689, 695	Companies Act 1948 (5 <i>Statutes</i> 110).....	587
Benefices (1571).....	380	s. 43.....	514
Betting and Lotteries Act 1934 (14 <i>Statutes</i> 535)		Congenital Disabilities (Civil Lia- bility) Act 1976 (46 <i>Statutes</i> 1837).....	133, 135
s. 11.....	280, 281	s. 1.....	130 , 132, 133, 134, 161
30.....	280	2.....	131
British Nationality Act 1948 (1 <i>Statutes</i> 861).....	587	3.....	133, 270
s. 1.....	587	4.....	131 , 132, 133, 135
Caravan Sites Act 1968 (24 <i>Statutes</i> 225)		Conspiracy and Protection of Pro- perty Act 1875 (8 <i>Statutes</i> 206) ..	461
s. 3.....	282	Consumer Credit Act 1974 (44 <i>Statutes</i> 746)	
Children and Young Persons Act 1933 (17 <i>Statutes</i> 435)		s. 157-160.....	597
s. 55.....	89	Consumer Protection Act 1961 (30 <i>Statutes</i> 47)	
Chronically Sick and Disabled Persons Act 1970 (23 <i>Statutes</i> 741).....	717	s. 3.....	282
s. 2.....	284	Consumer Safety Act 1978 (48 <i>Statutes</i> 1260)	
Chronically Sick and Disabled Persons (Scotland) Act 1972	717	s. 6.....	332

	PAGE		PAGE
Contagious Diseases (Animals) Act 1869.....	276	Defective Premises Act 1972 — <i>contd.</i>	
s. 75.....	277	s. 6.....	228
Continental Shelf Act 1964 (22 <i>Statutes</i> 587)		Directors' Liability Act 1890.....	514
s. 1.....	721	Dogs Act 1906 (2 <i>Statutes</i> 170)	
Control of Pollution Act 1974 (44 <i>Statutes</i> 1191).....	333	s. 1.....	365, 369
s. 88.....	270	Dogs (Amendment) Act 1928 (2 <i>Statutes</i> 174).....	365
Copyright Act 1956 (7 <i>Statutes</i> 128)		s. 1.....	369
s. 43.....	282, 556	Employers' Liability Act 1880: 263, 264, 268	
48.....	551	Employers' Liability (Compulsory Insurance) Act 1969 (40 <i>Statutes</i> 553).....	680
County Courts Act 1959 (7 <i>Statutes</i> 302)		s. 1-3.....	693
s. 39.....	600	5.....	694
102.....	414	Employer's Liability (Defective Equipment) Act 1969 (40 <i>Statutes</i> 551)	
Criminal Jurisdiction Act 1975 (45 <i>Statutes</i> 165)		s. 1.....	662
Sch. 6.....	59	Factories Act 1844.....	264
Criminal Justice Act 1948 (8 <i>Statutes</i> 337)		Factories Act 1937.....	13
s. 1.....	43	s. 4, 47.....	14
Criminal Law Act 1967 (8 <i>Statutes</i> 552)		Factories Act 1961 (13 <i>Statutes</i> 400) ..	13,
s. 1, 2.....	58	287, 292	
3.....	59	s. 4.....	14
13.....	592	14.....	273, 292, 293
Criminal Law Act 1977 (47 <i>Statutes</i> 142, 692)		17.....	273
s. 5.....	455	63.....	14
23.....	58	Factory and Workshop Act 1878.....	272
29.....	58	s. 5.....	272, 273
60.....	44	81, 82.....	272
62.....	62	86.....	272, 273
Sch. 6.....	694	87.....	273
Sch. 12.....	58	Factory and Workshop Act 1891	
Crown Proceedings Act 1947 (8 <i>Statutes</i> 844).....	228, 261, 628	s. 6.....	272, 273
s. 2.....	228	Fair Trading Act 1973 (43 <i>Statutes</i> 1618)	
38.....	368	s. 26.....	499
Damages (Scotland) Act 1976		Family Law Reform Act 1969 (17 <i>Statutes</i> 792)	
s. 1.....	447	s. 1.....	153
Dangerous Wild Animals Act 1976 (46 <i>Statutes</i> 130).....	372	Fatal Accidents Act 1846 (23 <i>Statutes</i> 780).....	368, 414, 415, 442,
s. 1.....	372	443, 444, 446, 664	
Defamation Act 1952 (19 <i>Statutes</i> 34)		s. 1.....	431, 440
s. 1.....	550	2.....	445
2.....	551, 552	Fatal Accidents Act 1959 (23 <i>Statutes</i> 801).....	368, 442, 443, 459, 664
3.....	544, 550	Fatal Accidents Act 1976 (46 <i>Statutes</i> 1115).....	133, 414, 415,
4.....	563, 564	433, 674, 723	
5.....	568	s. 1.....	431, 441
6.....	573	2-4.....	442
7.....	575, 585	5.....	442, 674
8.....	575	Fatal Accidents (Damages) Act 1908..	414
9.....	577, 587	Fires Prevention (Metropolis) Act 1774 (17 <i>Statutes</i> 829).....	361, 364
10.....	579	s. 86.....	359
11.....	568	Guard Dogs Act 1975 (45 <i>Statutes</i> 27).....	370
16.....	550	s. 5.....	271
Schedule.....	550, 575, 586	Health and Safety at Work etc. Act 1974 (44 <i>Statutes</i> 1083).....	12, 20,
Defective Premises Act 1972 (42 <i>Statutes</i> 1395).....	259-261	291, 293, 358	
s. 1.....	262	s. 47.....	291, 292
2.....	262		
3.....	259		
4.....	258, 259, 262		

	PAGE		PAGE
Health and Safety at Work etc. Act 1974 — <i>contd.</i>		Law Reform (Miscellaneous Provi- sions) Act 1971 (41 <i>Statutes</i> 1028)	
s. 71.....	262	s. 4.....	448
Highways Act 1959 (15 <i>Statutes</i> 143) .	85	Law Reform (Personal Injuries) Act 1948 (35 <i>Statutes</i> 548)	273
s. 121.....	376	s. 1.....	264, 290
226.....	375	2.....	27, 417, 428, 434
Highways (Miscellaneous Provisions) Act 1961 (15 <i>Statutes</i> 485)		Libel Act 1792 (19 <i>Statutes</i> 5)	562
s. 1.....	658, 685	Libel Act 1843 (19 <i>Statutes</i> 11)	
Housing Act 1957 (16 <i>Statutes</i> 109)		s. 1.....	588
s. 6.....	75	2.....	548, 588
Housing (Homeless Persons) Act 1977 (47 <i>Statutes</i> 34)		Libel Act 1845 (19 <i>Statutes</i> 16)	
s. 3.....	284	s. 2.....	588
Increase of Rent and Mortgage Interest (Restrictions) Act 1920 ..	381	Limitation Act 1623 (19 <i>Statutes</i> 59)	
Industrial Relations Act 1971 (41 <i>Statutes</i> 2062).....	668	s. 5.....	382
Insurance Companies Act 1974 (44 <i>Statutes</i> 32)		Limitation Act 1939 (19 <i>Statutes</i> 60) .. 15, 35, 76, 82, 83, 259, 298, 368	
s. 1.....	693	s. 2.....	19
Interpretation Act 1978 (48 <i>Statutes</i> 1296)		2A	19, 20
s. 18.....	270	2C.....	19
Land Charges Act 1925 (27 <i>Statutes</i> 685)		2D	19, 20
s. 17.....	534	Limitation Act 1963 (19 <i>Statutes</i> 102) .. 15, 260, 368	
Land Charges Act 1972 (42 <i>Statutes</i> 1590).....	534	s. 1.....	19
Land Drainage Act 1930 (18 <i>Statutes</i> 160).....	79	2-3B.....	19
Law of Libel Amendment Act 1888 (19 <i>Statutes</i> 30)		4.....	676
s. 3.....	575	Limitation Act 1975 (45 <i>Statutes</i> 847)	
4.....	585	s. 1.....	19, 35
Law of Property Act 1925 (27 <i>Statutes</i> 341)		Liverpool Corporation Act 1921.....	59
s. 40.....	381	Local Government (Ireland) Act 1902 .	587
Law Reform (Contributory Negli- gence) Act 1945 (23 <i>Statutes</i> 789).....	24, 56, 288, 295, 302, 303, 368, 681	Local Land Charges Act 1975 (45 <i>Statutes</i> 1705)	
s. 1.....	15, 288, 296, 298, 300, 303, 307, 442, 674	s. 10.....	534
3.....	298	Magistrates' Courts Act 1952 (21 <i>Statutes</i> 181)	
4.....	56, 298	s. 42.....	43
Law Reform (Husband and Wife) Act 1962 (17 <i>Statutes</i> 135).....	633, 685	91.....	601
s. 1.....	566	Maritime Conventions Act 1911 (31 <i>Statutes</i> 475).....	295, 296, 298
Law Reform (Limitation of Actions, &c) Act 1954 (19 <i>Statutes</i> 99) .. 15, 260		s. 1.....	295
s. 2.....	35, 38, 39	Medicines Act 1968 (21 <i>Statutes</i> 981)	
Law Reform (Married Women and Tortfeasors) Act 1935 (35 <i>Statutes</i> 543).....	338, 669	s. 133.....	270
s. 6.....	675, 676, 681	Merchandise Marks Act 1887	502
Law Reform (Miscellaneous Provi- sions) Act 1934.....	443	Merchandise Marks Act 1953	502
s. 1.....	413, 414, 415, 449	Merchant Seamen (1844)	
2.....	414	s. 18.....	275
Law Reform (Miscellaneous Provi- sions) Act 1970 (35 <i>Statutes</i> 553; 40 <i>Statutes</i> 781)		Merchant Shipping Act 1894 (31 <i>Statutes</i> 57).....	175
s. 4, 5.....	449	s. 220.....	181
		225.....	182
		502.....	667
		Mineral Workings (Offshore Installa- tions) Act 1971 (41 <i>Statutes</i> 940)	
		s. 11.....	270
		Misrepresentation Act 1967 (22 <i>Statutes</i> 675)	
		s. 2.....	514, 515
		Motor-Cycle Crash-Helmets (Reli- gions Exemption) Act 1976 (46 <i>Statutes</i> 1287).....	307

xx Table of statutes

	PAGE		PAGE
Motor Vehicles (Passenger Insurance) Act 1971 (41 <i>Statutes</i> 1189)		Prevention of Oil Pollution Act 1971 (41 <i>Statutes</i> 1361)	267
s. 1	690	Proceedings Against Estates Act 1970 (40 <i>Statutes</i> 632)	
National Assistance Act 1948 (23 <i>Statutes</i> 636)	717	s. 2	414
s. 36	284	Protection from Eviction Act 1964	
National Health Service Act 1946 (23 <i>Statutes</i> 9)	417	s. 1	282
National Insurance Act 1965 (23 <i>Statutes</i> 250)		Public Bodies (Admission to Meetings) Act 1960 (19 <i>Statutes</i> 835)	587
s. 1	624	Public Health Act 1875 (26 <i>Statutes</i> 38)	
National Parks and Access to the Countryside Act 1949	226	s. 66	275
Naval Discipline Act 1957 (29 <i>Statutes</i> 42)	586	Public Health Act 1936 (26 <i>Statutes</i> 189)	77, 78, 83, 262
Nuclear Installations Act 1965 (37 <i>Statutes</i> 430)	133, 270	Public Health Act 1961 (26 <i>Statutes</i> 500)	
s. 7	268, 270	s. 4	77
8	269	Race Relations Act 1976 (46 <i>Statutes</i> 389)	
9	269, 270	s. 11	612, 668
10, 11	269	54	267, 460
12	269	57	460
13	269	Railways Clauses Consolidation Act 1845 (26 <i>Statutes</i> 730)	
26	269	s. 47	278
Occupiers' Liability Act 1957 (23 <i>Statutes</i> 792)	81, 225, 227, 235, 236, 242, 245, 250, 252, 329	68	246
s. 1	225, 226, 229, 232	Rehabilitation of Offenders Act 1974 (44 <i>Statutes</i> 148)	
2	199, 227, 228, 231, 234, 236, 237, 239, 241, 242, 249, 328	s. 4	579
3	227	5	570
4	258, 261, 262	8	570, 579
5	190, 228	Rent Act 1965 (18 <i>Statutes</i> 620)	597
6	228	s. 30	281, 282, 283, 284, 595
Occupiers' Liability (Scotland) Act 1960	245, 252	Rent and Mortgage Interest Restrictions Act 1939	381
s. 2	245	Resale Prices Act 1964 (37 <i>Statutes</i> 158)	
Offences against the Person Act 1861 (8 <i>Statutes</i> 147)		s. 4	282
s. 44, 45	43	Restrictive Trade Practices Act 1956 (37 <i>Statutes</i> 77)	484, 498
Offices, Shops and Railway Premises Act 1963 (13 <i>Statutes</i> 584)	292	s. 21	497
Parliamentary Papers Act 1840 (19 <i>Statutes</i> 9)		Restrictive Trade Practices Act 1968 (37 <i>Statutes</i> 316)	
s. 1, 2	574	s. 7	498
3	577	Restrictive Trade Practices Act 1976 (46 <i>Statutes</i> 1955)	497
Partnership Act 1890 (24 <i>Statutes</i> 500)		Riding Establishments Act 1964 (2 <i>Statutes</i> 275)	372
s. 10-12	637	Riding Establishments Act 1970 (40 <i>Statutes</i> 181)	372
Petroleum and Submarine Pipelines Act 1975 (45 <i>Statutes</i> 1679)		Road Traffic Act 1930 (28 <i>Statutes</i> 146)	678, 679, 690, 691, 692
s. 30	270	s. 35	679, 691, 692
Police Act 1964 (25 <i>Statutes</i> 330)		36	679
s. 14	627	Road Traffic Act 1972 (42 <i>Statutes</i> 1633)	305, 685, 696, 698
48	627	s. 32	307
Policyholders Protection Act 1975 (45 <i>Statutes</i> 784)		143	633, 686
s. 6	691, 695	144	687, 698
7	691	145	633, 687
Post Office Act 1969 (25 <i>Statutes</i> 470)		147	688, 689
s. 29	628	148	687, 690, 695
Powers of Criminal Courts Act 1973 (43 <i>Statutes</i> 288)		149	688, 691
s. 35	43, 44	150	689
37, 38	44	Sch. 4	690

	PAGE		PAGE
Safety of Sports Grounds Act 1975 (45 <i>Statutes</i> 1663)		Trade Union and Labour Relations Act 1974 (44 <i>Statutes</i> 1766)	
s. 13.....	271	s. 2.....	612
Sale of Goods Act 1979 (49 <i>Statutes</i> 1102).....	330	13.....	474, 499
Sex Discrimination Act 1975 (45 <i>Statutes</i> 221)		14.....	482, 500
s. 12.....	612, 668	15, 16.....	500
63.....	267, 460	17.....	501
66.....	460	Trade Union and Labour Relations (Amendment) Act 1976.....	474
Short Titles Act 1896 (32 <i>Statutes</i> 472).....	441	Unfair Contract Terms Act 1977 (47 <i>Statutes</i> 84).....	105, 241, 242, 256, 295, 331, 532
Slander of Women Act 1891 (19 <i>Statutes</i> 33).....	551	s. 1.....	242, 328
s. 1.....	552	2.....	242, 328, 329
Social Security Act 1975 (45 <i>Statutes</i> 1071).....	434	3.....	329
s. 125.....	715	4.....	329, 331, 680
Social Security (Consequential Provi- sions) Act 1975 (45 <i>Statutes</i> 1339)		5.....	329
Sch. 2.....	434	6, 7.....	329
Social Security (Northern Ireland) Act 1975.....	434	11.....	329
Social Security Pensions Act 1975 (45 <i>Statutes</i> 1381).....	430, 731	13.....	330
Social Work (Scotland) Act 1968.....	717	14.....	242, 330
Statute of Frauds Amendment Act 1828 (7 <i>Statutes</i> 7)		31.....	330
s. 6.....	514	Vaccine Damage Payments Act 1979 (49 <i>Statutes</i> 1081).....	732
Summary Jurisdiction Act 1879 (21 <i>Statutes</i> 53)		s. 1, 2.....	133
s. 25.....	601	Vehicles (Excise) Act 1971 (41 <i>Statutes</i> 423).....	687
Supreme Court of Judicature Act 1873.....	38	Waterworks Clauses Act 1847 (39 <i>Statutes</i> 10)	
Supreme Court of Judicature (Conso- lidation) Act 1925 (25 <i>Statutes</i> 708)		s. 35.....	276
s. 51.....	606	42.....	273, 274
99.....	414	43.....	274
Theatres Act 1968 (35 <i>Statutes</i> 306)		Wills Act 1837 (39 <i>Statutes</i> 856)	
s. 2, 3.....	550	s. 15.....	535
4.....	550	Wireless Telegraphy Act 1949 (35 <i>Statutes</i> 93).....	550
5, 6.....	550	s. 5.....	593, 594
7.....	550	Workmen's Compensation Act 1897 .	6
Third Parties (Rights Against Insurers) Act 1930 (3 <i>Statutes</i> 175).....	690, 692	Workmen's Compensation Act 1906 .	178
s. 1, 3.....	695		
5.....	695		
Trade Descriptions Act 1968 (37 <i>Statutes</i> 948).....	270		
Trade Disputes Act 1906 (37 <i>Statutes</i> 1001)			
s. 3.....	474, 484, 495		
4.....	482		
Trade Disputes Act 1965 (37 <i>Statutes</i> 1030).....	494		
Trade Disputes and Trade Unions Act 1927.....	461		
Trade Marks Act 1938 (37 <i>Statutes</i> 887)			
s. 2.....	505		

AUSTRALIA

QUEENSLAND

Motor Vehicles Insurance Acts 1936- 45)	
s. 3.....	631

NORTHERN IRELAND

Law Reform (Miscellaneous Provi- sions) Act (Northern Ireland) 1937.....	445
s. 3.....	27
Law Reform (Miscellaneous Provi- sions) Act (Northern Ireland) 1948	
s. 3.....	428
Occupiers' Liability Act (Northern Ireland) 1957.....	329

List of cases

Page references printed in bold type indicate where the facts of the case are set out.

	PAGE		PAGE
Abrath v North Eastern Rly Co (1883)	603	Argy Trading Development Co Ltd v Lapid Development (1977)	528
Ackworth v Kempe (1778)	684	Armstrong v Strain (1952)	614, 615, 635
Acrow (Automation) Ltd v Rex Chainbelt Inc (1971)	499	Arnold v Teno (1978)	90
Adam v Ward (1917)	580, 584	Arpad, The (1934)	200
Addie (R) Sons Collieries Ltd v Dumbrick (1929)	243, 244, 245, 246, 247, 249, 250, 513	Artinstoll v Hewen's Garages, Ltd (1958)	191
Admiralty Comrs v SS Amerika (Owners), The Amerika (1917) .	431, 440	Ashby v White (1703)	543, 597, 611
Admiralty Comrs v Volute (Owners), The Volute (1921) ...	296 , 303, 325	Ashdown v Samuel Williams & Sons, Ltd ((1957))	240, 241, 242
Aitchison v Page Motors, Ltd (1935)	649	Asoka Kumar David v MAMM Abdul Cader (1963)	608
Albert v Motor Insurers' Bureau (1972)	699	Assam Rlys and Trading Co Ltd v IR (1935)	37
Alexander v Mercouris (1979)	262	Associated Newspapers Group Ltd v Wade (1979)	499
Alexander v North Eastern Rly Co (1865)	569	Astaire v Campling (1965)	561
Allen v Flood (1898)	388, 456 , 461, 463, 464, 491	Atkinson v Newcastle and Gateshead Waterworks Co (1877)	108, 268, 273
Allen v Gulf Oil Refining Co Ltd (1979)	407	A-G v Corke (1933)	348
Allsop v Allsop (1860)	52	A-G v PYA Quarries, Ltd (1957) .	391
Alston v Marine and Trade Insurance Co, Ltd (1964)	202	A-G v Times Newspapers, Ltd (1974)	547
Amalgamated Engineering Union v Minister of Pensions and National Insurance (1963)	625	A-G v Tod Heatley (1897)	399
Anderson (WB) & Sons, Ltd v Rhodes (Liverpool), Ltd (1967) .	514	Austin v Dowling (1870)	599
Andrews v Freeborough (1966) ...	415	Austin v Zurich Accident and Liability Insurance Co (1945) . .	691
Anns v Merton London Borough Council (1978)	63, 74, 104, 105, 112, 113, 114, 115, 258, 262, 267, 342, 611	Ayr Harbour Trustees v Oswald (1883)	78
Ansell v Thomas (1973)	42	Baddeley v Earl Granville (1887) . .	322
Application des Gaz SA v Falks Veritas Ltd (1974)	499	Bagot v Stevens Scanlon & Co (1964)	530
Arenson v Casson Beckman Rutley & Co (1977)	528	Baker v Bolton (1808)	440
Argentino, The (1888)	394	Baker v Crow Carrying Co Ltd (1960)	109
		Baker v TE Hopkins & Son Ltd (1959)	121 , 127, 326
		Baker v Willoughby (1969)	177
		Baldin v Shorter (1933)	546
		Balfour v Barty-King (1957)	361, 363, 659
		Ball v LCC (1949)	257

	PAGE		PAGE
Banbury v Bank of Montreal (1918)	522	Bonnard v Perryman (1891)	549
Bank voor Handel en Scheepvaart NV v Slatford (1953)	626	Bonnington Castings Ltd v Wardlaw (1956)	174
Barkway v South Wales Transport Co Ltd (1950)	164	Boronkay v Robinson and Carpenter	119
Barnes v Hampshire CC (1969) ..	90	Bottomley v Bannister (1932)	81
Barnett v Chelsea and Kensington Hospital Management Committee (1968)	173	Boulcott Golf Club Inc v Engelbright (1945)	361, 363
Barnett v Cohen (1921)	444	Bourhill v Young (1944)	218
Basebe v Matthews (1867)	601	Bourke v Butterfield and Lewis Ltd (1927)	312
Basely v Clarkson (1871)	382	Bourke v Warren (1826)	563
Batty v Metropolitan Property Realizations Ltd (1978)	113, 259, 342, 529, 532, 537	Bowater v The Mayor Alderman and Burgesses of the Borough of Rowley Regis (1944)	318
Beach v Freeson (1971)	581	Bowen v Hall (1881)	454, 463, 471
Beaulieu v Finglam (1401)	361, 363, 364	Bowen v Paramount Builders (Hamillion) Ltd and McKay (1977)	82, 115, 258, 259
Bell v Great Northern Rly Co of Ireland (1890)	52	Boyle v Kodak (1969)	286
Bell v Midland Rly Co (1861)	412	Bradburn v Great Western Rly Co (1874)	435
Benham v Gambling (1941) ..	408, 418, 419, 424, 431, 433, 590	Bradford v Robinson Rentals Ltd (1967)	208, 209
Benjamin v Storr (1874)	393	Bradford Corp'n v Pickles (1895) ..	387, 458, 463
Bennett v Tugwell (1971)	316, 318	Brandon v Osborne Garrett & Co (1924)	125
Bennett's Case <i>See</i> Société Anonyme de Remorquage à Hélice v Bennetts		Breen v Amalgamed Engineering Union (1971)	611
Benning v Wong (1970)	354	Brekkes, Ltd v Cattell (1971)	497
Benson v Lee (1972)	218	Bridgewater, The, unreported	451
Beresford v Royal Insurance Co Ltd (1938)	444	Bridlington Relay Ltd v Yorkshire Electricity Board (1965)	388
Bernstein (Lord) of Leigh v Skyways and General Ltd.	377, 380, 598	Briggs v Gunner (1979)	527, 528
Berry v British Transport Commission (1962)	606	Brimelow v Casson (1923)	473
Best v Samuel Fox & Co Ltd (1952)	107, 448	Britannic Merthyr Coal Co Ltd v David (1910)	278, 691
Biddle v Truvox Engineering Co Ltd (1952)	273	British Celanese Ltd v AH Hunt (Capacitors) Ltd (1969)	109, 354, 373, 390
Billings v Reed (1945)	38	British Columbia Electric Rly Co v Loach (1916)	301
Billings (AC) & Sons Ltd v Riden (1958)	231, 256	British Legion v British Legion Club (Street) Ltd (1931)	506
Birch v Abercrombie (1913)	631	British Medical Association v Marsh (1931)	506
Birch v Thomas (1972)	318, 690	British Railways Board v Herrington (1972)	127, 244, 254, 369, 405, 406, 642
Bird v Holbrook (1828)	249	British Railways Board v Liptrot (1969)	293
Bird v Jones (1847)	46	Broadway Approvals, Ltd v Odhams Press, Ltd (1965)	571, 590
Bird v Pearce (1978)	84	Brock v Copeland (1794)	370
Black v Christchurch Finance Co (1894)	659	Bromage v Prosser (1825)	453
Blacker v Lake and Elliot (1912) ..	70	Brooke v Bool (1928)	635
Blake v Barnard (1840)	42	Brown v Rolls Royce, Ltd (1960) ..	161
Bloodworth v Gray (1844)	551	Bryanston Finance Ltd v De Vries (1975)	585, 671, 676
Blyth v Birmingham Waterworks Co (1856)	198	Buckland v Guildford Gas Light and Coke Co (1949)	252
Boardman v Sanderson (1964)	221	Buckley v John Allen and Ford (Oxford), Ltd (1967)	448
Bocock v Enfield Rolling Mills Ltd (1954)	590	Buckpitt v Oates (1968)	294, 318
Bognor Regis UDC v Champion (1972)	565		
Bolam v Friern Hospital Management Committee (1957)	161		
Bollinger v Costa Brava Wine Co Ltd (1959)	501		
Bolton v Stone (1951)	139, 141, 144, 145		

	PAGE		PAGE
Building and Civil Engineering		Cavanagh v Ulster Weaving Co,	
Holidays Scheme Management,		Ltd (1960).....	161
Ltd v Post Office (1965).....	650	Cave v Mountain (1840).....	61
Burmah Oil Co Ltd v Bank of		Central Asbestos Co Ltd v Dodd	
England (1979).....	576	(1973).....	11, 12, 18, 19
Burnett v British Waterways Board		Central Motors (Glasgow), Ltd v	
(1973).....	241, 242, 319, 330	Cessnock Garage and Motor	
Burnett and Hallamshire Fuel, Ltd		Co (1925).....	649
v Sheffield Telegraph and Star,		Century Insurance Co, Ltd v	
Ltd (1960).....	576	Northern Ireland Road Trans-	
Burns v Edman (1970).....	443	port Board (1942).....	64
Burns v Johnston (1916).....	50	Chadwick v British Transport	
Burrows v Rhodes (1899).....	514	Commission (1967).....	129, 222
Burton v Board (1929).....	571	Chaplin v Hicks (1911).....	432
Butterfield v Forrester (1809).....	295	Chapman v Hearse (1961).....	126
Bux v Slough Metals, Ltd (1974) ..	85, 286	Chapronière v Mason (1905).....	344
Byrne v Boadle (1863).....	31, 164	Charing Cross and West End	
Byrne v Deane (1937).....	553	and City Electric Supply Co	
Bywell Castle, The (1879).....	296, 297	v London Hydraulic Power Co	
		(1913).....	350
		Charrington v Simons & Co, Ltd	
		(1971).....	380
Caball v Vaughan (1669).....	584	Chasemore v Richards (1859)....	387, 453
Cairns v Clyde Navigation		Chatterton v Secretary of State	
Trustees (1898).....	617	for India (1895-9).....	576
Callan, The (1930).....	247	Cherry Ltd v Allied Insurance	
Calliope, The (1970).....	311	Brokers Ltd (1978).....	528
Callow (Engineers), Ltd v Johnson		Cheshire v Bailey (1905).....	649, 652, 653
(1971).....	290	Chester v Waverley Municipal	
Caltex Oil (Aust) Pty Ltd v The		Corpn (1939).....	220
Dredge 'Willemstaed' (1976) ..	112, 542	Chesterfield (Earl) v Jansen	
Camden Nominees, Ltd v Forcey		(1751).....	516
(1940).....	473, 477	Chic Fashions (West Wales), Ltd v	
Camelia Tanker SA v International		Jones (1968).....	384
Transport Workers' Federation		Chowdhary v Gillot (1947).....	633
(1976).....	487	Christie v Davey (1893).....	387
Cameron v Young (1908).....	70	Christie v Leachinsky (1947).....	59
Canadian Pacific Rly Co v Kelvin		Christmas v General Cleaning	
Shipping Co, Ltd, The Meta-		Contractors, Ltd (1952).....	236
gama (1927).....	124	Church of Scientology of Cali-	
Candler v Crane, Christmas & Co		fornia v Johnson-Smith (1972) ..	575
(1951).....	523, 527, 531,	Cinnamond v British Airports	
	533, 534, 541	Authority (1980).....	384
Cane v Golding (1649).....	543	City of Lincoln, The (1889).....	182
Capitol and Countries Bank v		Clark v Holmes (1862).....	264
Henty (1882).....	453, 555	Clark v Kirby-Smith (1964).....	530
Capitol Motors Ltd v Beecham		Clark v London General Omnibus	
(1975).....	531	Co, Ltd (1906).....	440
Carberry v Davies (1968).....	633	Clark v Molynewx (1877).....	583
Carlin v Helical Bar, Ltd (1970)...	218	Clarke v Carfin Coal Co (1891)...	440
Carmarthenshire County Council		Clay v AJ Crump & Sons, Ltd	
v Lewis (1955).....	85, 90, 100, 667	(1964).....	81, 180, 186
Carrington v Taylor (1809).....	454, 455	Clay v Roberts (1863).....	554
Cartledge v E Jopling & Sons, Ltd		Clayards v Dethick and Davies	
(1963).....	19	(1848).....	257
Cassell & Co, Ltd v Broome		Clayton v Woodman & Son	
(1972).....	408, 413, 588, 669, 672	(Builder), Ltd (1962).....	81, 104
Cassidy v Daily Mirror News-		Clegg, Parkinson & Co v Earby	
papers, Ltd (1929).....	557, 561	Gas Co (1896).....	108
Cassidy v Ministry of Health		Clelland v Robb (1911).....	69
(1951).....	531, 622	Clifford v Brandon (1809).....	454, 455
Caswell v Powell Duffryn Asso-		Close v Steel Co of Wales (1962) ..	293
ciated Collieries, Ltd (1939)....	285, 311	Coca v AN Clark (Engineers) Ltd	
Cattle v Stockton Waterworks Co		(1969).....	597
(1875).....	107, 110, 350, 540	Cockcroft v Smith (1705).....	57
Cavalier v Pope (1906).....	70, 230	Coggs v Bernard (1703).....	521, 522, 655

	PAGE		PAGE
Coldman v Hill (1919).....	650	Daily Mirror Newspapers, Ltd v Gardner (1968).....	484, 489, 498
Cole v Turner (1704).....	42	Dallison v Caffery (1965).....	61
Coleman v Riches (1839).....	634, 651	Dalton v Angus (1881).....	660, 661
Collingwood v Home and Colonial Stores, Ltd (1936).....	353, 359, 361	Daly v Liverpool Corpn (1939)...	153
Colvilles, Ltd v Devine (1969)....	168	Daniels and Daniels v R White & Sons Ltd and Tabard (1938)....	344
Commonwealth Life Assurance Society v Brock (1935).....	603	Dann v Hamilton (1939).....	122, 314, 317, 318, 326
Condon v Condon (1978).....	307	Dansey v Richardson (1854).....	651
Congreso del Partido I (1978)....	199	D'Arcy v Prison Comrs (1955)....	100, 101, 102, 103
Conway v George Wimpey & Co, Ltd (1951).....	642, 643, 645	Dartnall v Howard (1825).....	522
Conway v Rimmer (1968).....	576	Davie v New Merton Board Mills, Ltd (1959).....	231, 663, 665, 666
Cook v Alexander (1974).....	577	Davies v Davies (1975).....	333
Cook v Lewis (1951).....	637	Davies v Powell Duffryn Asso- ciated Collieries, Ltd (1942)....	415, 447
Cookson v Knowles (1979).....	422	Davies v Swan Motor Co (Swansea), Ltd (1949).....	299, 300, 306
Coote v Stone (1971).....	279	Davies v Taylor (1972).....	445
Cope v Sharpe (1912).....	384	Davis v Bromley Corpn (1908)....	609, 610
Corfield v Groves (1950).....	693	Davis v St Marys Demolition and Excavation Co, Ltd (1954).....	252
Cornfoote v Fowke (1840).....	635	Dawkins v Lord Rokeby (1875)...	606
Cory Lighterage, Ltd v Transport and General Workers' Union (1973).....	460, 499	Dawson v Bingley UDC (1911)....	268, 275
Corsair, The (1892).....	440	Dawson v Vansandau (1863).....	603
Couch v Steel (1854).....	275, 281	De Beers Abrasive Products Ltd v International General Electric Co of New York Ltd (1975)....	546
Coulson William & Sons v James Coulson & Co (1887).....	549	De Buse v McCarthy (1942).....	579
Coupé Co v Maddick (1891).....	649	De La Bere v Pearson, Ltd (1908).....	522, 524
Coward v Motor Insurers' Bureau (1963).....	699	Delaney v TP Smith, Ltd (1946) ..	381
Creed v John McGeoch & Sons, Ltd (1955).....	252	De Meza and Stuart v Apple Van Straten Shena and Stone (1974).....	191
Crippin, Re (1911).....	444	Denny v Supplies and Transport Co, Ltd (1950).....	339
Crofter Hand Woven Harris Tweed Co v Veitch (1942).....	460	De Parrell v Walker (1932).....	651
Crook v Derbyshire Stone, Ltd (1956).....	640	Derry v Peek (1886-90).....	512, 516, 517, 519, 523
Crouch v Great Northern Rly Co (1856).....	412	Deyong v Shenburn (1946).....	73, 95, 184, 185, 650
Cummings (or McWilliams) v Sir William Arrol & Co (1962).....	290	Diamantis Pateras, The (1966)....	339
Cummings v Granger (1977) ..	295, 369, 372	Dickeson v Hilliard (1874).....	582
Cunard v Stacy (1955).....	499	Dodds v Dodds (1978).....	445
Cunningham v Harrison (1973) ...	417, 418, 424	Dollman v Hillman (1941).....	395
Cunningham-Howie v FW Dim- bleby & Sons, Ltd (1951).....	571	Dominion Natural Gas Co, Ltd v Collins and Perkins (1909).....	68, 336
Cutler v McPhail (1962).....	669, 670	Donaldson v McNiven (1952)....	153
Cutler v United Dairies (London), Ltd (1933).....	128, 315, 326	Donnelly v Joyce (1973).....	117, 423, 424
Cutler v Wandsworth Stadium, Ltd (1949).....	268, 280, 282, 283, 502, 611	Donoghue v Stevenson. <i>See</i> McAlister (or Donoghue) v Stevenson	
D v National Society for the Pre- vention of Cruelty to Children (1978).....	30	Donovan v Laing, Wharton and Down Construction Syndicate (1893).....	617, 618, 619
D and L Caterers, Ltd and Jackson v D'Anjou (1945).....	551	Dooley v Cammell Laird & Co, Ltd and Mersey Installation Co (1951).....	218
Daborn v Bath Tramways Motor Co, Ltd and T Smithy (1946) ..	160	Dorset Yacht Case. <i>See</i> Home Office v Dorset Yacht Co, Ltd	
Daish v Wauton (1972).....	435		