

*All the Law from Every Source*

**1947 – 1957**

**CURRENT LAW  
CITATOR**

**CASES • STATUTES • S.I.s**

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# CURRENT LAW CITATOR 1947—1957

General Editor  
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Pakistan Law House  
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## PREFACE

This volume provides a quick-research facility which is unique in this country. It continues the practice commenced in 1957 of integrating the tables previously contained in the separate volumes of the *Current Law Year Books* into one series.

This *Current Law Citator* covers all developments in the law during the years 1947 to 1957 and consists of a STATUTE CITATOR, a CASE CITATOR, and a TABLE OF RULES AND ORDERS.

The STATUTE CITATOR is arranged in chronological order. The earliest statute in it is the Statute of Merton, 1235 and the latest is the Public Works Loans Act, 1957. It shows, with reference to every statute in the statute book, what has happened to it in the past eleven years. In particular, it shows :

the effect of legislation,  
cases on construction, and  
statutory instruments made under rule-making powers.

The method of use could not be simpler. For example, under the reference to the Rivers (Prevention of Pollution) Act, 1951 (14 & 15 Geo. 6, c. 64) will be found the following entries :

see 10737.  
applied : 2-3E.2,c.32,s.5(4) (d).  
articles : 101 L.J. 549; 115 J.P.J. 666, 682; 116 J.P.J. 792.  
circular 52/3624  
ss. 2-5, order 57/3672.  
s. 6, orders 53/3800; 54/3455; 57/3672.  
s. 7, case 53/3804; orders 53/3800; 54/3455; 57/3672.  
sch. 1, order 57/3672.  
sch. 2, para. 5 (3), order 55/2869.  
sch. 2, para. 11, order 57/3672.

From the foregoing it can be seen that the Act was noted at para. 10737 of the *Current Law Consolidation*. It was applied by 2 & 3 Eliz. 2, c. 32, s. 5 (4) (d) [the Atomic Energy Authority Act, 1954]. Articles were written on it in *The Law Journal* and *Justice of the Peace* journal. A circular relating to it is noted in para. 3624 of the *Current Law Year Book 1952*. Orders were made under sections 2-5, 6 and 7 which are noted in the *Year Book*, 1957, para. 3672, the *Year Book*, 1953, para. 3800 and in the *Year Book*, 1954, para. 3455. There was a case on section 7 noted at para. 3804 of the *Year Book*, 1953. And orders were made under Schedule 1 and Schedule 2, paras. 5 (3) and 11, which are to be found in the *Year Book*, 1957, para. 3672 and the *Year Book*, 1955, para. 2869.

The whole history of the Act for eleven years is thus instantly available.

## PREFACE

The CASE CITATOR is arranged in alphabetical order and it covers :  
cases reported during 1947-1957, and  
cases, of whatever date, which have been judicially considered or  
affected by statute during 1947-1957.

Only *Current Law* subscribers know the convenience of having the  
whole eleven year series of cases laid out in a single alphabetical table.

The following entries are reproduced for illustration :

Berkeley v. Berkeley [1946] A.C. 555 ..... *Applied*, 3681, 3685, 9419, 10788, 10997; 55/1310:  
*Followed*, 10973: *Inland Revenue's Views*, 396: *Distinguished*, 53/3823; 56/4279.

This is an example of an earlier case (pre-1947) which has been applied  
six times, followed once and distinguished twice in the last eleven years.  
In addition the views of the Inland Revenue on the case are reported. The  
references are to the paragraphs of the *Current Law Consolidation* and  
to the *Current Law Year Books* of 1955, 1953 and 1956 respectively where  
the cases in which *Berkeley v. Berkeley* was dealt with are digested.

Cutler v. Wandsworth Stadium [1949] A.C. 398; [1949] L.J.R. 824; 65  
T.L.R. 170; 93 S.J. 163; [1949] 1 All E.R. 544; [94 S.J. 5; 65  
L.Q.R. 426] H.L.; affirming [1948] 1 K.B. 291; [1948] L.J.R.  
257; 64 T.L.R. 41; 92 S.J. 40; [1947] 2 All E.R. 815, C.A.; rever-  
sing [1946] K.B. 501 ..... *Digested*, 4241, 9917: *Followed*, 53/1539:  
*Referred to*, 53/2571: *Applied*, 54/1094; 57/1175.

This is an example of a modern case which is digested in the *Current Law Consolidation* paras. 4241 and 9917. It was later followed and referred to in two cases digested in the *Current Law Year Book* 1953, at paras. 1539 and 2571 respectively. Subsequently it was twice applied in cases digested in para. 1094 of the *Current Law Year Book* 1954 and in para. 1175 of the 1957 *Year Book*. The case has been reported in five series of contemporaneous reports and it has been commented on in one weekly journal and *The Law Quarterly Review*. Finally as it is a decision of the House of Lords there is a clear statement showing that the decision of the Court of Appeal was affirmed and that previously that court had reversed the decision of the court of first instance.

All learned periodicals containing a commentary on any case are referred to by entries contained in square brackets. These include, in addition to those mentioned above, *The Modern Law Review*, *The Conveyancer and Property Lawyer*, *The Cambridge Law Journal*, *British Tax Review*, and *The Criminal Law Review*.

The TABLES OF STATUTORY RULES AND ORDERS AND STATUTORY INSTRUMENTS contain every order made during 1947 to 1957 which was still in force at the end of that period. All the amendments affecting orders which are included in the list are shown.

To vary the boast which it is our custom to make annually this *Current Law Citator* is offered as the

MASTER KEY to ALL the LAW from EVERY SOURCE.

J. B.

March, 1958.

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## TABLE OF ABBREVIATIONS

A.C. = Appeal Cases (Law Reports).  
 A.J.I.L. = American Journal of International Law.  
 A.L.J. = Australian Law Journal.  
 A.L.R. = Argus Law Reports.  
 All E.R. = All England Reports.

B.J.A.L. = British Journal of Administrative Law.  
 B.T.R. = British Tax Review.  
 Business L.R. = Business Law Review.

c. = Chapter (of Act of Parliament).  
 C.A. = Court of Appeal.  
 C.C.A. = Court of Criminal Appeal.  
 Ch. = Chancery (Law Reports).  
 C.L. = Current Law.  
 C.L.C. = Current Law Consolidation.  
 C.L.J. = Cambridge Law Journal.  
 C.L.P. = Current Legal Problems.  
 C.L.R. = Commonwealth Law Reports.  
 C.L.Y. = Current Law Year Book.  
 C.P.L. = Current Property Law.  
 Can.B.R. or Canadian B.R. = Canadian Bar Review.  
 Can.C.L. = Canadian Current Law.  
 Com.Cas. = Commercial Cases.  
 Conv.(n.s.) (or Conv. or Conveyancer) = Conveyancer and Property Lawyer (New Series).  
 Cox C.C. = Cox's Criminal Cases.  
 Cr.App.R. = Criminal Appeal Reports.  
 Crim.L.R. = Criminal Law Review.  
 Cty.Ct. = County Court.

D.C. = Divisional Court.  
 D.L.R. = Dominion Law Reports.

E. = England.

Harv.L.R. or Harvard L.R. = Harvard Law Review.  
 H.L. = House of Lords.

I.C.L.Q. = International and Comparative Law Quarterly.  
 I.L.T. or Ir.L.T. = Irish Law Times.  
 I.R. or Ir.R. = Irish Reports (Eire).

J. and J.J. = Justice, Justices.  
 J.B.L. = Journal of Business Law.  
 J.C. = Judiciary Cases.  
 J.C.L. = Journal of Criminal Law.  
 J.I.B. = Journal of the Institute of Bankers.  
 J.L.S. = Journal of the Law Society of Scotland.

J.P. = Justice of the Peace Reports.  
 J.P.J. = Justice of the Peace Journal.  
 J.P.L. = Journal of Planning and Property Law.  
 J.R. = Juridical Review.

K.B. = King's Bench (Law Reports).

L.C. = Lord Chancellor.  
 L.C.J. or C.J. = Lord Chief Justice.  
 L.G.C. = Local Government Chronicle.  
 L.G.R. = Local Government Reports.  
 L.J. or L.J.J. = Lord Justice, Lords Justices.  
 L.J. = Law Journal Newspaper.  
 L.J.N.C.C.R. = Law Journal Newspaper County Court Reports.  
 L.J.R. = Law Journal Reports.  
 L.Q.R. = Law Quarterly Review.  
 L.R. = Law Reports.  
 L.S.Gaz. = Law Society Gazette.  
 L.T. = Law Times.  
 L.T.J. = Law Times Journal.  
 Ll.L.Rep. = Lloyd's List Reports (before 1951).  
 Lloyd's Rep. = Lloyd's List Reports (1951 onwards).  
 Ll.P.C. = Lloyd's Prize Cases.  
 L.S.G. = Law Society's Gazette.

McGill L.J. = McGill Law Journal.  
 Mag.Ct. = Magistrates' Court.  
 M.L.R. = Modern Law Review.  
 M.R. = Master of the Rolls.

N.I. = Northern Ireland; Northern Ireland Reports.  
 N.Z.L.R. = New Zealand Law Reports.

Oklahoma L.R. = Oklahoma Law Review.  
 Ord. = Order.

P. = Probate, Admiralty and Divorce (Law Reports).  
 P. & C.R. = Planning and Compensation Reports.  
 P.C. = Privy Council.  
 P.L. = Public Law.  
 P.Q. = Political Quarterly.  
 P.S. = Petty Sessions.

Q.B. = Queen's Bench (Law Reports).  
 Q.J.P.R. = Queensland Justice of the Peace Reports.  
 Q.S. = Quarter Sessions.  
 Q.S.R. = Queensland State Reports.

## TABLE OF ABBREVIATIONS

r. = Rule.	S.L.T. (Lyon Ct.) = Scots Law Times Lyon Court Reports.
R. & I.T. = Rating and Income Tax.	S.L.T. (Notes) = Scots Law Times Notes of Recent Decisions.
reg. = Regulation.	S.L.T. (Sh.Ct.) = Scots Law Times Sheriff Court Reports.
R.P.C. = Reports of Patent, Design and Trade Mark Cases.	S.N. = Session Notes.
R.R.C. = Ryde's Rating Cases.	Sol. = Solicitor.
s. = Section (of Act of Parliament).	S.R. & O. = Statutory Rules and Orders.
S. or Scot. = Scotland.	Sydney L.R. = Sydney Law Review.
S.A.L.J. = South African Law Journal.	Tax. = Taxation.
S.A.L.R. = South African Law Reports.	T.C. or Tax. Cas. = Tax Cases.
S.A.S.R. = South Australian State Reports.	T.L.R. = Times Law Reports.
S.C. = Session Cases.	T.R. = Taxation Reports.
S.C.(J.) = Session Cases (High Court of Justiciary).	Traff.Cas. = Railway, Canal and Road Traffic Cases.
S.C.(H.L.) = Session Cases (House of Lords).	Trib. = Tribunal.
Sc.Jur. = Scottish Jurist.	Tulane L.R. = Tulane Law Review.
Sec. = Secretary.	
Sec.Jo. = Secretaries' Journal.	
Sh.Ct.Rep. = Sheriff Court Reports (Scottish Law Review).	
S.I. = Statutory Instruments.	V.L.R. = Victoria Law Reports.
S.J. = Solicitors' Journal.	
S.L.C.R. = Scottish Land Court Reports.	
S.L.G. = Scottish Law Gazette.	W.A.L.R. = West Australian Law Reports.
S.L.R. = Scottish Law Reporter (Reports 1865-1925).	Washington L.Q. = Washington Law Quarterly.
S.L.R. = Scottish Law Review (Articles 1912- ).	W.L.R. = Weekly Law Reports.
S.L.T. = Scots Law Times.	W.N. = Weekly Notes (Law Reports).

# “CURRENT LAW”

## STATUTE CITATOR, 1947-57

The “Current Law” Statute Citator, 1947-57, is a complete Noter-up to the Statute Book as regards England and Wales for the years 1947 to 1957. As regards Scotland it covers the years 1948 to 1957. It comprises in a single Table:—

- (i) Statutes passed;
- (ii) Statutory Instruments issued under rule-making powers;
- (iii) Cases and articles on the construction of statutes; and
- (iv) Statutes amended, applied, repealed or otherwise affected by legislation.

References, e.g., 9972, are to the Current Law Consolidation, 1947-51; all other references are preceded by a figure denoting the appropriate year, e.g., 55/2011 refers to § 2011 of the 1955 Year Book.

All references to the Scottish Current Law Year Books are preceded by an indication of the date. The Scottish paragraph numbers commence with the following:

48/3991	52/3686	56/9296
49/4278	53/3879	57/3764
50/4440	54/3620	
51/3642	55/2919	

S.L.R. 1948 = Statute Law Revision Act, 1948 (11 & 12 Geo. 6, c. 62).

### ACTS OF THE PARLIAMENT OF SCOTLAND

CAP.

- 24. Bills of Complaints, 1424.  
repealed: 12-4G.6,c.63,sch.8,I.
- 18. Tacks of Land for Terms, 1449.  
case 57/4025.
- 23. Prescription, 1469.  
case 57/4263.
- 54. Prescription, 1474.  
case 57/4263.
- 117. Subscription of Documents, 1540.  
case 56/13598.
- 83. Prescription, 1579.  
case 48/4741
- 57. Criminal Justice, 1587.  
case 51/3825.  
s. 10, amended: 12-4G.6,c.63,sch.8,I.
- 250. Feu-duty, 1597.  
case 56/11114.

CAP.

- 12. Prescription, 1617.  
case 57/4263.
- 9. Prescription, 1669.  
cases 50/5244; 54/4141
- 5. Probative Witnesses in Writs and Executions, 1681.  
cases 56/13598; 57/4443.
- 11. Winter Herding, 1686.  
case 54/4199.
- 23. Registers of Sasines, 1693.  
amended: 11-2G.6,c.57,sch.
- 5. Bankruptcy, 1696.  
cases 53/3948, 3949; 57/3810.
- 15. Securities Written Book-ways, 1696.  
case 56/13598.

### ACTS OF THE PARLIAMENTS OF ENGLAND, GREAT BRITAIN AND THE UNITED KINGDOM

20 Hen. 3

(Stat. Merton.) (1235-6)

- 2. repealed: S.L.R. 1948.
- 4. repealed: 2-3E.2,c.5,sch.1.
- 9. repealed: S.L.R. 1948.

52 Hen. 3

(Stat. Marlbg.) (1267)

- 1. Distress Act, 1267.  
short title 9972.
- 2. repealed: S.L.R. 1948.
- 17. repealed: S.L.R. 1948.

3 Edw. 1

(Stat. Westm. prim.) (1275)

- 28. repealed in part: S.L.R. 1948.
- 29. repealed: S.L.R. 1948.
- 31. case 52/2164.

7 Edw. 1

(Stat. de Viris Relig.) (1279)

case 55/351.



CAP.

## 13 Edw. 1

## (Stat. Westm. sec.) (1285)

- 5. repealed in part: S.L.R. 1948.
- 18. repealed: S.L.R. 1948.
- 34. repealed in part: S.L.R. 1948.
- 35. repealed: S.L.R. 1948.
- 37. **Distress Act, 1285.**  
short title 9972.
- 45. repealed: S.L.R. 1948.
- 46. **Commons Act, 1285.**  
short title 9972.
- 49. repealed: S.L.R. 1948.

## (Stat. Circ. Agatis) (1285)

repealed in part: S.L.R. 1948.

## (Stat. Civitatis Lond.) (1285)

repealed: 2-3E.2,c.5,sch.1.

## 23 Edw. 1

## (Stat. de Frang. Pris.) (1295)

repealed: S.L.R. 1948.

## 25 Edw. 1

## (Magna Carta) (1297)

- 10. repealed: S.L.R. 1948.
- 18. repealed: 10-1G.6,c.44,s.39(1),sch.2.
- 22, 25. repealed: S.L.R. 1948.
- 36. case 55/351.

## (Confirmatio Cartarum) (1297)

- 1, 7. repealed in part: S.L.R. 1948.

## (Pardon to H. de Bohun, etc.) (1297)

repealed: S.L.R. 1948.

## 23 Edw. 1

## (Artic. sup. Cart.) (1300)

- 12. repealed: 2-3E.2,c.5,sch.1.

## 33 Edw. 1

## (Ordin. de Consp.) (1305)

repealed in part: S.L.R. 1948.

## 34 Edw. 1

## (Stat. of Joint Tenants) (1306)

repealed: S.L.R. 1948.

## 7 Edw. 2

## (Piers de Gavaston) (1313)

repealed: S.L.R. 1948.

## 9 Edw. 2

## (Articuli Cleri.) (1315-6)

- 1 (in part), 2 (in part), 5, 6 (in part).  
repealed: S.L.R. 1948.

CAP.

## 15 Edw. 2

## (Exilium H. le Despenser, etc.)

(1322)

repealed: S.L.R. 1948.

## (Stat. revoking pardon, etc.) (1322)

repealed: S.L.R. 1948.

## 17 Edw. 2, Stat. 2

## (De terris Templar.) (1323-4)

repealed: S.L.R. 1948.

## Statutes of uncertain date

Stat. de Pistoribus, repealed: S.L.R. 1948.

Consuetudines Cantiae, repealed in part:  
S.L.R. 1948.Prerogativa Regis, cc. 12 (in part), 16,  
18, repealed: S.L.R. 1948.

De Catallis Felonum, repealed: S.L.R. 1948.

## 1 Edw. 3, Stat. 2 (1326-7)

- 16. repealed: S.L.R. 1948.

## 5 Edw. 3 (1331)

- 5. amended: 14-5G.6,c.39,sch.
- 11. repealed: S.L.R. 1948.

## 14 Edw. 3, Stat. 3 (1340)

repealed: S.L.R. 1948.

## 18 Edw. 3, Stat. 2 (1344)

- 2. repealed: S.L.R. 1948.

## 25 Edw. 3, Stat. 1 (1350-1)

repealed in part: S.L.R. 1948.

## 25 Edw. 3, Stat. 4 (1350-1)

repealed: S.L.R. 1948.

## 25 Edw. 3, Stat. 5 (1351-2)

- 2 (in part), 3. repealed: S.L.R. 1948.

## 27 Edw. 3, Stat. 1 (1353)

- 2. repealed: S.L.R. 1948.

## 31 Edw. 3, Stat. 1 (1357)

- 3, 14. repealed: S.L.R. 1948.

## 34 Edw. 3

- 1. **Justices of the Peace Act, 1361.**  
articles: 114 J.P.J. 294; 116 J.P.J. 67.  
applied: 4-5E.2,c.44,s.1(1).  
cases 6720; 57/677.  
effect of 4-5 E. 2, c. 44: 56/5382.  
repealed in part: S.L.R. 1948.  
short title 9972.
- 12, 15. repealed: S.L.R. 1948.