

Cheshire & Fifoot's Cases on the Law of Contract

Seventh edition by M.P. Furmston

Butterworths

Cheshire & Fifoot's

Cases on
the Law of
Contract

Seventh edition

by M. P. Furmston

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P R E F A C E

In this edition seven old cases have been removed and replaced by seven new ones. Although the last word on promissory estoppel is still far from spoken it seemed timely to replace *Combe v. Combe* with *Alan v. El Nasr. Jones v. Padavatton* and *Edwards v. Skyways* have been replaced by *Esso Petroleum Co. v. Commissioners of Customs and Excise*, a fascinating illustration of the difficulties of analysing a simple everyday transaction. That decision of the House of Lords arrived too late for consideration in the 9th edition of Cheshire and Fifoot on Contract, as did its decision in *Liverpool City Council v. Irwin*, which as an authoritative discussion of implied terms replaces *Gardner v. Coutts*. The decision in *The Hansa Nord* seemed so important as to merit inclusion alongside *Hong Kong Fir Shipping Co. Ltd. v. Kawasaki Kisen Kaisha, Ltd.* and *The Mihalis Angelos*. Amongst the cases on excluding and limiting terms *Chapelton v. Barry U.D.C.* has had to give way to *New Zealand Shipping Co. Ltd. v. Satterthwaite*, whilst on fundamental breach *Alexander v. Railway Executive* has been replaced by *Wathes (Western) Ltd. v. Austins (Menswear) Ltd.*, another case which appeared too late for inclusion in the textbook, as did the decision of the Court of Appeal in *Esso Petroleum Co. Ltd. v. Mardon*, which replaces *London Assurance v. Mansel*.

It is my pleasant duty to thank the Incorporated Council of Law Reporting for England and Wales and the proprietors of the All England Law Reports, the Commonwealth Law Reports, the Law Journal Reports, The Law Times Reports, and the Lloyds List Reports for permission to reprint the statements of fact and the judgements, or parts thereof, in the cases which have been copied from their publications.

I must also thank the publishers and the printers for their great help in the preparation of this edition.

19th January, 1977

M.P.F.

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