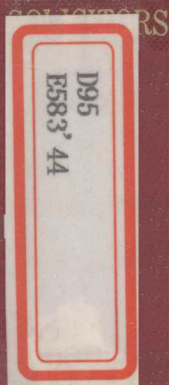


THE DIGEST

ANNOTATED
BRITISH,
COMMONWEALTH
AND
EUROPEAN
CASES

44



BUTTERWORTHS

The Digest

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European Cases*

44

1984 reissue

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In this volume, English cases reported up to 1st February, 1984, are included, and other cases are included so far as they were available in London on that date.

Abbreviations

1 ABBREVIATIONS OF REPORTS

A complete list of abbreviations used in citing Reports is to be found in Volume 1(1) pages xv–xxxiii. Additions or alterations to this list will be noted in future Supplements

2 GENERAL ABBREVIATIONS

AG Aktiengesellschaft
A-G Attorney-General
Act Actiengesellschaft
Affd Affirmed
Affg Affirming
Akt Aktiengesellschaft; Aktiebolaget;
Aktieselskabet
Alta Alberta
Anon Anonymous
Apld Applied
Apprvd Approved
Art Article
Ass Tax Case Assessed Tax Case
Aus Australia

BC Borough Council
BC British Columbia

CA Court of Appeal
CBC Canadian Broadcasting
Corporation
CC County Council
CCA Court of Criminal Appeal
CCR County Court Rules
CCR Court of Crown Cases Reserved
CLP Act Common Law Procedure Act
COR Crown Office Rules
CSUC Consolidated Statutes of Upper
Canada

Ca sa Capias ad satisfaciendum
Can Canada
Ch Div Chancery Division
Cl/cll Clause/clauses
Co Company
Comrs Commissioners
Consd Considered
Consist Ct Consistory Court
Cont Continued
Corpn Corporation
Ct Court
Ct of Bkpcy Court of Bankruptcy
Ct of Ch Court of Chancery
Ct of Eq Court of Equity
Ct of R Court of Review
Ct of Sess Court of Session

Cty
Cty Ct

County
County Court

DC
DPP
Dept
Distd
Div Ct

Divisional Court
Director of Public Prosecutions
Department
Distinguished
Divisional Court

ECJ
E Af
Eccl Comrs
Eccl Ct
EEC
Ex Ch
Ex p
Exch
Exch Ct
Expld
Extd

European Court of Justice
East Africa
Ecclesiastical Commissioners
Ecclesiastical Court
European Economic Community
Exchequer Chamber
Ex parte
Exchequer
Exchequer Court
Explained
Extended

Fam Div
Fi fa
Folld

Family Division
Fieri facias
Followed

Govt

Government

HC of A
HL
HSI

High Court of Australia
House of Lords
Halsbury's Statutory Instruments

I of M
IR Comrs
Inc
Ir

Isle of Man
Inland Revenue Commissioners
Incorporated
Ireland

JJ
Jud Act

Justices
Judicature Act

KB Div

King's Bench Division

LB
LC
LCC
LG
LG Board

Local Board
Lord Chancellor
London County Council
Local Government
Local Government Board

LJ
LJJ
Lieut-Gov
London BC
Ltd/Ltda/Ltee

Lord Justice
Lords Justices
Lieutenant-Governor
London Borough Council
Limited/Limitada/Limitee

Mags	Magistrates	Rs/rr	Rules
Man	Manitoba	Ry Co	Rail Co or Railway Co or
Mentd	Mentioned		Railway Company
NB	New Brunswick	S	Section
NF	Not Followed	SA	Societe Anonyme
NI	Northern Ireland	S Af	South Africa
NP/np	Nisi Prius	S Aus	South Australia
NS	Nova Scotia	SC	Same Case
NSW	New South Wales	SC (Name	Supreme Court of a Colony
NWP	North-West Provinces	of colony	
NWT	North-West Territories	following)	
NZ	New Zealand	SE	Settled Estates
		SS	Steamship
Ont	Ontario	Sask	Saskatchewan
Ord	Order	Sched	Schedule
Overd	Overruled	Sci fa	Scire facias
		Sect/s	Section
PC	Privy Council	Soc	Society
PEI	Prince Edward Island	Soc Anon	Societe Anonyme
		TC	Town Council
QB Div	Queen's Bench Division	Tas	Tasmania
Qd	Queensland		
Qu	Quaere	UC	Urban Council
Que	Quebec	UDC	Urban District Council
		UK	United Kingdom
R/r	Rule	US/USA	United States of America
RAF	Royal Air Force		
RC	Rural Council		
RDC	Rural District Council	VAT	Value Added Tax
RM	Rural Municipality	V-C	Vice-Chancellor
RSA	Rural Sanitary Authority	Vic	Victoria
RSC	Revised Statutes of Canada		
RSC	Rules of the Supreme Court	W Af	West Africa
Refd	Referred	W Aus	West Australia
Reg	Regulation	W Indies	West Indies
Restg	Restoring		
Revsd	Reversed		
Revsd	Reversing	YT	Yukon Territory

Meaning of terms used in classifying annotating cases

The different expressions used to describe the effect of the annotating cases have the following meanings, and the classification of the annotating cases has been done strictly in accordance with these meanings. The annotating cases are grouped according to the points in the case which they annotate; within these groups they are listed chronologically. The terms used in classifying the annotating cases are as follows:—

“Applied” (Apld) This expression is used to denote the fact that the principle of law enunciated in the annotated case has been applied to a new set of facts and circumstances in the annotating case.

“Approved” (Apprvd) This expression is used to denote the fact that the annotated case has been considered to be good law in the annotating case where the latter is in a higher court than the former.

“Considered” (Consd) This expression is used where the remarks in the annotating case are devoid of adverse criticism and merely denote the giving of more or less careful consideration to the annotated case.

“Distinguished” (Distd) This expression is used where the earlier case is not necessarily doubted, but where some essential difference (either on the facts or in law) between it and the annotated case is pointed out.

“Doubted” (Dbtd) This expression is used where the court in the annotating case without definitely going to the length of saying that the annotated case is wrong, adduces reasons which seem to show that it is not accurate.

“Explained” (Expld) This expression is used where the earlier case is not necessarily doubted, but the decision arrived at is justified or accounted for by calling attention to some point of fact or of law which is usually but not necessarily, one not obvious on the face of the report.

“Extended” (Extd) Compare “Applied,” *supra*.

“Followed” (Folld) This expression is used to denote that the same principles of law are applied in the two cases. It does not necessarily imply that the facts are substantially identical in the two cases.

“Not Followed” (NF) Compare “Followed,” *supra*, to which it is the adverse.

“Overruled” (Overd) This expression is used where the annotating case is on substantially identical facts with the annotated case and in a higher court and the rule in the latter case is held to be wrong.

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