
ESSAYS FOR PETER BIRKS

Structure and Justification in Private Law

Edited by

CHARLES RICKETT & ROSS GRANTHAM

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Preface

Peter Birks's tragically early death led immediately to the question of a Festschrift in his honour. Such was this fine scholar's influence and impact that it was obvious that no method existed of binding a volume large enough to hold the essays of all who would wish to contribute, or ought to be asked to contribute. Accordingly, Andrew Burrows and Alan Rodger took upon themselves the task of organising a volume with contributions largely from scholars working in England. That volume appeared as *Mapping the Law: Essays in Honour of Peter Birks*, published by Oxford University Press in 2006. Andrew Burrows contacted me and suggested that I might like to undertake the preparation of a volume of essays by those outside England, Scotland and Germany who might wish to honour Peter. I jumped at this invitation. Peter was my first law teacher when I went up to Brasenose College, Oxford in 1972. In many ways, he was responsible for my choosing a career in academic life, and he became my friend as well as my mentor. I decided to ask my colleague and co-author in most of my own work in the law of restitution, Ross Grantham, to join me as co-editor. He too was a student of Peter's, having studied for the BCL, and jumped at the chance to honour him.

This book is that promised volume. It appears later than the English volume, perhaps reflective of the far-flung habitations of its authors, but it is, I am sure you will agree, as worthy a tribute to a great lawyer, scholar and mentor. Richard Hart's readiness to come on board and to undertake the volume's publication is much appreciated by all the contributors, and especially by Ross and me, and is a mark of the deep respect Richard also had for Peter.

I thank Julie Collins of the administrative staff at the TC Beirne School of Law for her assistance in compiling the tables of cases and statutes; and Joy Maina, a PhD student at the School, who assisted with reference checking. I also thank Andrew Burrows, Alan Rodger and Oxford University Press for permission to reproduce in this volume the list of Peter's publications that appeared in *Mapping the Law*, and to the compiler of that list, Eric Descheemaeker, for providing us with several small corrections, which have been duly incorporated.

Last, but by no means least, I thank sincerely all the contributors for their hard work, goodwill and commitment to the project. Whether or not you were personally taught by Peter in a formal way, he would have been

delighted by the display of these qualities! *Principi iure peritissimo, magistro, amico! Fuer einen grossen Geist, Mentor, und Freund.*

Charles Rickett
Queen's Birthday, Queensland
11 June 2007

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Table of Cases

Australia

<i>Alati v Kruger</i> (1955) 94 CLR 216 (HCA)	372, 376
<i>Allen v Snyder</i> [1977] 2 NSWLR 685 (NSWCA)	394
<i>Australian Broadcasting Commission v Lenah Game Meats</i> (2001) 208 CLR 199 (HCA)	426
<i>Australian Guarantee Corp Ltd v Balding</i> (1930) 43 CLR 140 (HCA)	229
<i>Automatic Fire Sprinklers Pty Ltd v Watson</i> (1946) 72 CLR 435 (HCA)	227–28, 230, 241–43
<i>Bahr v Nicolay (No 2)</i> (1988) 164 CLR 604 (HCA)	357–58
<i>Baltic Shipping Co v Dillon</i> (1993) 176 CLR 344 (HCA)	226, 231, 239, 243
<i>Bathurst City Council v PWC Properties Pty Ltd</i> (1998) 195 CLR 566 (HCA) .	347
<i>Baumgartner v Baumgartner</i> (1987) 164 CLR 137 (HCA)	357
<i>Black v S Freedman & Co</i> (1910) 12 CLR 105 (HCA)	345–46, 396
<i>Brown v Brown</i> (1993) 31 NSWLR 582 (NSWCA)	380, 385
<i>Bryan v Maloney</i> (1995) 182 CLR 609 (HCA)	61
<i>Buffrey v Buffrey</i> [2006] NSWSC 1349	385
<i>Calverly v Green</i> (1984) 155 CLR 242 (HCA)	380, 388, 394
<i>Chalet Homes Pty Ltd v Kelly</i> [1978] Qd R 389 (QSC)	231
<i>Commissioner of State Revenue (Victoria) v Royal Insurance Australia Ltd</i> (1994) 182 CLR 51 (HCA)	309
<i>Commissioner of Taxation v Linter Textiles Australia Ltd</i> (2005) 220 CLR 59 (HCA)	373
<i>Commonwealth of Australia Verwayen</i> (1990) 170 CLR 394 (HCA)	433
<i>Consul Development Pty Ltd v DPC Estates Pty Ltd</i> (1975) 132 CLR 373 . .	353
<i>Corin v Patton</i> (1990) 169 CLR 540 (HCA)	391
<i>Crescendo Management Pty Ltd v Westpac Banking Corporation</i> (1988) 19 NSWLR 40 (NSWCA)	275
<i>Damberg v Damberg</i> [2001] NSWCA 87	385
<i>David Securities Pty Ltd v Commonwealth Bank of Australia</i> (1992) 175 CLR 353 (HCA)	101, 243, 268, 275, 292
<i>Do Carmo v Ford Excavations Pty Ltd</i> (1984) 154 CLR 234 (HCA)	425
<i>Dousett v Reid</i> (1912) 15 CLR 695	434
<i>DPC Estates Pty Ltd v Grey and Consul Developments Pty Ltd</i> [1974] 1 NSWLR 443 (NSWCA)	355
<i>Dullov v Dullov</i> (1985) 3 NSWLR 531 (NSWCA)	380, 382
<i>Elkhoury v Farrow Mortgage Services Pty Ltd (in liq)</i> (1993) 114 ALR 541 (FCA)	235
<i>Farah Constructions Pty Ltd v Say-Dee Pty Ltd</i> [2007] HCA 22	11–12, 340–41, 347, 350–59
<i>Fehlburg v Stanton</i> (1960) ALR 299 (HCA)	232, 241–42

xii *Table of Cases*

<i>Graham v Baker</i> (1961) 106 CLR 340 (HCA)	228
<i>Grant (John) & Sons Ltd v Trocadero Building & Investment Co Ltd</i> (1937–38) 60 CLR 1 (HCA)	231, 242
<i>Gray v Motor Accidents Commission</i> (1998) 196 CLR 1 (HCA)	434, 436
<i>Harris v Digital Pulse Pty Ltd</i> (2003) 56 NSWLR 298 (NSWCA)	88
<i>HCK China Investments Ltd v Solar Honest Ltd</i> [1999] FCA 1156	384
<i>Hill v Van Erp</i> (1997) 188 CLR 159 (HCA)	56
<i>Hughes v Australian Blue Metal Ltd</i> [1964–5] NSWLR 938 (NSWSC)	424
<i>Ilich v R</i> (1987) 162 CLR 110 (HCA)	345
<i>Johnson Tiles Pty Ltd v Esso Australia Ltd</i> [2003] VSC 27 (VSC)	61
<i>Killen v Rennie</i> [2005] NSWCA 392	381, 384
<i>Koorootang Nominees Pty Ltd v Australian and New Zealand Banking Group</i> <i>Ltd</i> [1998] 3 VR 16 (VSC)	340
<i>Lamb v Cotogno</i> (1987) 164 CLR 1 (HCA)	436
<i>LHK Nominees Pty Ltd v Kenworthy</i> (2002) 26 WAR 517 (WASC)	340
<i>McDonald v Dennys Lascelles Ltd</i> (1933) 48 CLR 457 (HCA) ...	233, 235, 237–38, 240–43
<i>Macquarie Bank v Sixty-Fourth Throne Pty Ltd</i> [1998] 3 VR 133 (VSC)	340
<i>Marshall (Charles) Pty Ltd v Grimsley</i> (1956) 95 CLR 353 (HCA) ...	383–84, 387
<i>Muschinski v Dodds</i> (1985) 160 CLR 583 (HCA)	344, 384
<i>Nelson v Nelson</i> (1995) 184 CLR 538 (HCA)	380–81, 385
<i>Nolan v Collie</i> [2003] VSCA 39	344
<i>Ownit Homes Pty Ltd v Batchelor</i> [1983] 2 Qd R 124 (QSC)	231
<i>Pavey and Matthews Pty Ltd v Paul</i> (1987) 162 CLR 221 (HCA)	37, 39, 67, 81, 251, 276
<i>Perre v Apand</i> [1999] HCA 36	56
<i>Phillips v Ellinson Bros Pty Ltd</i> (1941) 65 CLR 221 (HCA)	232
<i>Plaimar Ltd v Waters Trading Co Ltd</i> (1945) 72 CLR 304	229
<i>Port of Brisbane Corp v ANZ Securities (No 2)</i> [2003] Qd R 661 (QCA)	358
<i>Rawson v Hobbs</i> (1961) 107 CLR 466 (HCA)	243
<i>Renard Constructions Pty Ltd v Minister of Public Works</i> (1992) 20 NSWLR 234 (NSWCA)	181
<i>Reynolds v Fury</i> (1921) VLR 14 (VSC)	230
<i>Robins v Incentive Dynamics Pty Ltd (in liq)</i> (2003) 175 FLR 286 (NSWCA)	340, 347–49
<i>Roxborough v Rothmans of Pall Mall Australia Ltd</i> (2001) 208 CLR 516, (2001) 185 ALR 335 (HCA)	9, 11–12, 101, 138, 172–74, 178, 243–44, 246–47, 275, 289
<i>Russell v Scott</i> (1936) 55 CLR 440 (HCA)	388
<i>Sabemo Pty Ltd v North Sydney Municipal Council</i> [1977] 2 NSWLR 880 (NSWSC)	251, 260
<i>Say-Dee Pty Ltd v Farah Constructions Pty Ltd</i> [2007] NSWCA 22	358
<i>Smith v Noske</i> [1913] VLR 329 (VSC)	230
<i>Smith Kline Laboratories (Australia) Ltd v Secretary, Department of Community</i> <i>Services and Health</i> (1990) 22 FCR 73 (FCA)	439

<i>Spangaro v Corporate Investment Australia Funds Management Ltd</i> (2003)	47
ACSR 285 (FCA/NSWSC)	268, 274, 358
<i>State Bank of NSW v Swiss Bank</i> (1995) 39 NSWLR 3350 (NSWSC)	358
<i>Steele v Tardiani</i> (1946) 72 CLR 386 (HCA).	232–33
<i>Sutherland (Council of the Shire of) v Heyman</i> (1985) 157 CLR 424 (HCA).	25, 65
<i>Suttor v Gundowda Pty Ltd</i> (1950) 81 CLR 418 (HCA)	234
<i>Tara Shire Council v Garner</i> [2003] 1 Qd R 556 (QCA)	357–58
<i>Thompson v Leigh</i> [2006] NSWSC 540	386
<i>Trend Management Ltd v Borg</i> (1996) 40 NSWLR 500 (NSWCA).	436
<i>Veen v The Queen</i> (No 2) (1988) 164 CLR 465 (HCA)	433
<i>Victoria Park Racing v Taylor</i> (1937) 58 CLR 479 (HCA)	201
<i>Walton Stores (Interstate) Ltd v Maher</i> (1988) 164 CLR 387 (HCA).	243, 437–38
<i>Wasada Pty Ltd v State Rail Authority of New South Wales</i> (No 2) [2003] NSWCA 987	268, 274
<i>Westpac Banking Corp v Hilliard</i> [2006] VSC 470 (VSC).	358
<i>Westralian Farmers Ltd v Commonwealth Agricultural Service Engineers Ltd</i> (1935–36) 54 CLR 361 (HCA)	235
<i>White v Tomasel</i> [2004] 2 Qd R 438 (QCA).	357
<i>Whitfield v De Lauret & Co Ltd</i> (1920) 29 CLR 71 (HCA).	434
<i>Williams v Milotin</i> (1957) 97 CLR 465 (HCA).	425
<i>Winterton Construction Pty Ltd v Hambros Australia and Another</i> (1991) 101 ALR 363 (FCA)	274
<i>Wirth v Wirth</i> (1956) 98 CLR 228 (HCA)	385
<i>Woolcock Street Investments v CDG Pty Ltd</i> (2004) 216 CLR 515 (HCA)	330
<i>XL Petroleum (NSW) Pty Ltd v Caltex Oil (Aust) Pty Ltd</i> (1985) 155 CLR 448 (HCA)	434
<i>Yerkey v Jones</i> (1939) 63 CLR 649 (HCA)	357
<i>York Air Conditioning and Refrigeration (Australasia) Pty Ltd v Commonwealth</i> (1949) 80 CLR 11 (HCA)	242–43

Canada

<i>Air Canada v British Columbia</i> [1989] 1 SCR 1161 (SCC)	16, 92, 101, 291–97, 300–3, 305–11, 313, 315–16
<i>Air Canada v Ontario (Liquor Control Board)</i> [1997] 2 SCR 581 (SCC)	88, 92, 98–99, 292, 305, 313
<i>Amax Potash Ltd v Government of Saskatchewan</i> [1977] 2 SCR 576 (SCC).	308
<i>Andrews v Grand & Toy Alberta Ltd</i> [1978] 2 SCR 229 (SCC)	98
<i>Attorney General of British Columbia v Deeks Sand & Gravel Co Ltd</i> [1956] SCR 336 (SCC)	317
<i>Authorson v Canada (Attorney General)</i> [2003] 2 SCR 40 (SCC).	293
<i>Bank of America Canada v Mutual Trust Co</i> [2002] 2 SCR 601 (SCC).	88
<i>Breckenridge Speedway Ltd v Alberta</i> [1970] SCR 175 (SCC)	317
<i>Brisette Estate v Westbury Life Insurance Co</i> [1992] 3 SCR 87 (SCC)	95
<i>Cadbury Schweppes Inc v FBI Foods Ltd</i> [1999] 1 SCR 142 (SCC)	98, 101

xiv *Table of Cases*

<i>Campbell v Campbell</i> (1999) 173 DLR (4) 270 (Ont CA)	264
<i>Canadian National Railway v Norsk Pacific Steamship Co</i> [1992] 1 SCR 1021 (SCC).....	330
<i>Canadian Pacific Airlines Ltd v British Columbia</i> [1989] 1 SCR 1133 (SCC).....	291, 310
<i>Canson Enterprises Ltd v Boughton & Co</i> [1991] 3 SCR 531 (SCC)	98
<i>Citadel General Assurance Co v Lloyds Bank Canada</i> [1997] 3 SCR 805 (SCC).....	88, 92, 98, 100
<i>Communities Economic Development Fund v Canadian Pickles Corp</i> [1991] 3 SCR 388 (SCC)	91
<i>Cooper v Hobart</i> [2001] 3 SCR 537 (SCC).....	330
<i>Cunningham v Wheeler</i> [1994] 1 SCR 359 (SCC).....	91
<i>Degelman v Guaranty Trust and Constantineau</i> [1954] SCR 725 (SCC) ...	31, 39, 81, 99
<i>Dobson v Dobson</i> (1999) 174 DLR (4) 1 (SCC).....	84, 87
<i>Eadie v Township of Brantford</i> [1956] SCR 573 (SCC).....	292
<i>Estok v Heguy</i> (1963) 40 DLR (2d) 88 (BCSC).....	249, 252
<i>Eurig Estate, Re</i> [1998] 2 SCR 565 (SCC).....	92, 101, 306, 308, 313
<i>Garland v Consumers' Gas Co</i> [2004] 1 SCR 629, [2004] SCC 25 (SCC) ...	13, 66, 67, 68, 91-92, 98, 317-18
<i>Goodfriend v Goodfriend</i> (1972) 22 DLR (3d) 699 (SCC)	281
<i>Guerin v The Queen</i> [1984] 2 SCR 335 (SCC)	98, 293
<i>Hodgkinson v Simms</i> [1994] 3 SCR 377 (SCC).....	91, 98
<i>Horsley v MacLaren (The Ogopogo)</i> (1971) 22 DLR (3d) 545 (SCC).....	288
<i>Huff v Price</i> (1990) 51 BCLR (2d) 282 (BCCA)	88
<i>Hunter Engineering Co v Syncrude Canada Ltd</i> [1989] 1 SCR 426 (SCC)	95
<i>Hydro Electric Commission of the Township of Nepean v Ontario Hydro</i> [1982] 1 SCR 347 (SCC)	291-94, 303
<i>Kingstreet Investments Ltd v New Brunswick (Department of Finance)</i> (2004) 236 DLR (4) 733 (NBQB); (2005) 254 DLR (4) 715 (NBCA); [2007] 1 SCR 3, [2007] SCC 1, (2007) 276 DLR (4) 342 (SCC).....	92, 101, 294, 298, 306-18
<i>KLB v British Columbia</i> [2003] 2 SCR 403 (SCC)	91
<i>Kolari, Re</i> [1982] 36 OR (2d) 473 (Dist Ct)	396
<i>Lac Minerals Ltd v International Corona Resources Ltd</i> (1989) 25 DLR (4) 504 (Ont HCJ); [1989] 2 SCR 574 (SCC).....	39, 91, 95-96, 98, 101, 255-56
<i>M(K) v M(H)</i> [1992] 3 SCR 6 (SCC).....	88
<i>McInerney v MacDonald</i> (1992) 93 DLR (4) 415 (SCC).....	91
<i>Madsen Estate v Saylor</i> [2007] SCC 18 (SCC).....	380, 385, 388
<i>Matheson v Smiley</i> [1932] 2 DLR 787 (Man CA).....	285
<i>Montreuil v Ontario Asphalt Co</i> (1922) 63 SCR 401 (SCC).....	255
<i>More (James) & Sons Ltd v University of Ottawa</i> (1974) 49 DLR (3d) 666 (Ont HC).....	171
<i>Murdoch v Murdoch</i> (1973) 41 DLR (3d) 367 (SCC).....	100
<i>New Solutions Financial Corp v Transport North American Express Inc</i> [2004] 1 SCR 249 (SCC)	92
<i>Niles v Lake</i> [1947] 2 DLR 248 (SCC)	387

<i>Norberg v Wynrib</i> [1992] 2 SCR 226 (SCC).....	88
<i>Nowell v Town Estate</i> (1997) 35 OR (3d) 415 (Ont CA)	100
<i>Ogopogo, The. See Horsley v MacLaren</i>	
<i>Pacific National Investments Ltd v Victoria (City)</i> [2004] SCC 75, [2004] 3 SCR 575 (SCC)	66, 68, 92, 293
<i>Pecore v Pecore</i> [2007] SCC 17 (SCC).....	380, 382, 384–85, 388
<i>Peel (Regional Municipality of) v Her Majesty the Queen in the Right of Canada</i> [1992] 2 SCR 762, (1992) 98 DLR (4) 140 (SCC)	40, 67, 98
<i>Peter v Beblow</i> [1993] 1 SCR 980 (SCC)	54, 98, 100
<i>Pettkus v Becker</i> [1980] 2 SCR 834 (SCC).....	22, 36, 39, 66, 94–95, 98, 100
<i>Pre-Cam Exploration & Development Ltd v McTavish</i> [1966] SCR 551 (SCC) .	95
<i>Rathwell v Rathwell</i> [1978] 2 SCR 436 (SCC)	66, 100
<i>Ratych v Bloomer</i> [1990] 1 SCR 940 (SCC)	91
<i>RBC Dominion Securities v Dawson</i> (1994) 111 DLR (4) 230 (Nfld CA)	41
<i>RDS v The Queen</i> [1994] NSJ No 629 (Fam Ct); [1997] 3 SCR 484 (SCC) .	89–90
<i>RWDSU, Local 580 v Dolphin Delivery Ltd</i> [1986] 2 SCR 573 (SCC).....	84
<i>Sorochan v Sorochan</i> (1986) 29 DLR (4) 1 (SCC).....	67
<i>Soulos v Korkontzilas</i> [1997] 2 SCR 217 (SCC)	96–97, 101
<i>Storthoaks (Rural Municipality) v Mobil Oil Canada Ltd</i> [1976] 2 SCR 147 (SCC).....	317

Ireland

<i>AIB Finance v Sligo Co</i> [1995] 1 ILRM 81.....	388
<i>BL v ML</i> [1992] 2 IR 77 (SC).....	385
<i>Containercare (Ireland) Ltd v Wycherley</i> [1982] IR 143 (HC)	386
<i>Dublin Corporation v Building & Allied Trades Union</i> , unreported, 6 March 1996 (HC); reversed [1996] 1 IR 468	393
<i>EN v RN</i> [1992] 2 IR 116 (SC).....	385
<i>Fitzpatrick v Criminal Assets Bureau</i> [2000] 1 IR 243 (SC).....	387–88, 393
<i>Grimes, Re</i> [1937] IR 470 (HC)	385
<i>Irwin v O'Connell</i> [1936] IR 44 (SC)	386
<i>Lane's Trusts, Re</i> (1863) 14 Ir Ch Rep 523 (RC).....	389
<i>Lynch v Burke</i> [1991] IR 1 (HC)	388
<i>Lynch v Burke</i> [1995] 2 IR 159 (HC)	383, 388
<i>McCabe v Ulster Bank Ltd</i> [1939] IR 1 (HC).....	385
<i>McEaney v Shevlin</i> [1912] 1 IR 32 (HC); [1912] 1 IR 278 (CA)	383
<i>McGillicuddy v Joy</i> [1959] IR 189 (HC).....	396
<i>Owens v Greene</i> [1932] IR 225 (SC)	388
<i>RF v MF</i> [1995] 2 ILRM 572 (SC)	385–86
<i>Slattery, Re</i> [1917] 2 IR 278 (HC).....	382, 387
<i>W v W</i> [1981] ILRM 202 (HC)	385
<i>Wall's Estate, Re</i> [1922] 1 IR 59 (HC)	385

Israel

<i>A.Sh.I.R. Import, Production & Distribution v Forum Avisarim and Consumption Products Ltd</i> (1998) 52(4) PD 289.....	202
<i>Alonieli Ltd v McDonald</i> (2004) 58(4) PD 314 (CA 8432/04).....	201
<i>The Boeing Co v Boeing Travel and Tourist</i> [1989] (3) PM 108.....	199

New Zealand

<i>Bateman Television v Bateman</i> [1971] NZLR 453 (NZCA).....	387
<i>Butler v Countrywide Finance Ltd</i> [1993] 3 NZLR 623 (NZCA).....	98
<i>Cripps v Lakeview Farm Fresh Ltd</i> [2006] 1 NZLR 238 (NZHC).....	375
<i>Fortex Group Ltd v Macintosh</i> [1998] 3 NZLR 171 (NZCA).....	365, 426
<i>Hosking v Runting</i> [2003] 3 NZLR 285 (NZCA).....	438
<i>Invercargill City Council v Hamlin</i> [1994] NZLR 513 (NZCA).....	373
<i>Mollgaard v ARCIC</i> [1999] 3 NZLR 735 (HCNZ).....	273
<i>Morning Star (St Lukes Garden Apartments) Ltd v Canam Construction Ltd</i> (CA90/05), 8 August 2006 (NZCA).....	246
<i>National Bank of New Zealand Ltd v Waitaki Intl Processing (NI) Ltd</i> [1999] 2 NZLR 211 (NZCA).....	81
<i>R v Parker</i> [1919] NZLR 365 (NZCA).....	365
<i>Rolls-Royce New Zealand Ltd v Carter Holt Harvey Ltd</i> [2005] 1 NZLR 324 (NZCA).....	65
<i>Ruddenklau v Charlesworth</i> (1925) NZLR 161 (NZCA).....	230
<i>South Pacific Manufacturing Co Ltd v New Zealand Security Consultants & Investigations Ltd</i> [1992] 2 NZLR 282 (NZCA).....	373
<i>Tauranga Borough v Tauranga Electric Power Board</i> [1944] NZLR 155 (NZCA).....	362
<i>Van den Berg v Giles</i> [1979] 2 NZLR 111 (HCNZ).....	252

United Kingdom

<i>Air Jamaica v Charlton</i> [1999] 1 WLR 1399 (PC).....	79, 86, 380, 402–3
<i>Ali v Khan</i> [2002] EWCA Civ 974 (CA).....	385, 387
<i>Anns v Merton London Borough Council</i> [1978] AC 728 (HL).....	65
<i>Anonymous</i> (1471) YB 11 Edw IV.....	343
<i>Arosa v Coutts</i> [2002] 1 All ER (Comm) 241 (HC).....	382, 388
<i>Arris v Stukely</i> (1677) 2 Mod 260 (Exchequer Ct).....	190–91
<i>Ash v McKennitt</i> [2006] EWCA 1714.....	439
<i>Asher v Wallis</i> (1707) 11 Mod 146 (QB).....	191
<i>Associated Newspapers Ltd v HRH the Prince of Wales</i> [2006] EWCA Civ 1776.....	438–39
<i>Attorney General v Blake</i> [2001] 1 AC 268 (HL).....	79, 88, 182, 289, 425–26

<i>Attorney General v Guardian Newspapers (No 2)</i> [1990] 1 AC 109 (HL)	93, 194, 438
<i>Attorney General for Canada v Ritchie Contracting & Supply Co Ltd</i> [1919] AC 999 (PC)	413
<i>Attorney-General of Hong Kong v Humphrey's Estate (Queen's Gardens) Ltd</i> [1987] AC 114 (PC)	250, 252
<i>Attorney General for Hong Kong v Reid</i> [1994] 1 AC 324 (PC)	94, 354
<i>Auckland Harbour Board v The King</i> [1924] AC 318 (PC)	307
<i>Aveling Barford Ltd v Perion Ltd</i> [1989] BCLC 626 (HC)	378
<i>Ayerst v C & K (Construction) Ltd</i> [1976] AC 167 (HL)	373, 376
<i>B P Exploration Co (Libya) v Hunt (No 2)</i> [1979] 1 WLR 783 (HC)	40
<i>Baker v Hopkins (T E) & Son Ltd</i> [1958] 1 WLR 993 (HC)	288
<i>Baker v Inwards</i> [1965] 2 QB 29 (CA)	94
<i>Bank of Credit and Commerce International (Overseas) Ltd v Akindele</i> [2000] 4 All ER 221 (CA)	88
<i>Banner Homes Group plc v Luff Developments Ltd (No 2)</i> [2000] Ch 372 (CA)	94
<i>Bannister v Bannister</i> [1948] 2 All ER 133 (CA)	94
<i>Banque Financière de la Cité v Parc (Battersea) Ltd</i> [1999] 1 AC 221 (HL)	2, 79, 268, 363
<i>Barclays Bank v Quistclose Investments</i> [1970] AC 567 (HL)	386, 393
<i>Barclays Bank Ltd v W J Simms, Son & Cooke (Southern) Ltd</i> [1980] QB 677 (HC)	190–91, 275
<i>Barclays Bank plc v Boulter</i> [1999] 1 WLR 1919 (HL)	370, 375
<i>Barnes v Addy</i> (1874) LR 9 Ch App 244	340–41, 344–45, 347–49, 352–56, 358–59
<i>Barney, Re</i> [1892] 2 Ch 265 (HC)	344
<i>Baylis v Bishop of London</i> [1913] 1 Ch 127 (CA)	246
<i>Belmont Finance Corporation v Williams Furniture Ltd (No 2)</i> [1980] 1 All ER 393 (CA)	378
<i>Bennet v Bennet</i> (1879) LR 10 Ch D 474 (HC)	380, 385
<i>Berkeley Applegate (Investment Consultants) Ltd, Re</i> [1989] Ch 32	276
<i>Blue Haven Enterprises Ltd v Tully</i> [2006] UKPC 17 (PC)	250, 256
<i>Boardman v Phipps</i> [1967] 2 AC 46 (HL)	94, 189
<i>Boscawen v Bajwa</i> [1996] 1 WLR 328 (CA)	79
<i>Brewer Street Investments Ltd v Barclays Woollen Co Ltd</i> [1954] 1 QB 428 (CA)	251
<i>Bristol & West Building Society v Mothew</i> [1998] Ch 1 (CA)	370
<i>Brooks v Beirnsstein</i> [1909] 1 KB 98 (HC)	237
<i>Brooks Wharf & Bull Wharf v Goodman Bros</i> [1937] 1 KB 534 (CA)	32, 40
<i>Brougham v Dwyer</i> (1913) 29 TLR 234 (HC)	377
<i>Campbell v MGN Ltd</i> [2004] 2 AC 457, [2004] 2 WLR 1232 (HL)	194, 439
<i>Caparo Industries v Dickman</i> [1990] 2 AC 605 (HL)	65, 187
<i>Capital and Counties plc v Hampshire CC</i> [1997] QB 1004 (CA)	288
<i>Car & Universal Finance Ltd v Caldwell</i> [1965] 1 QB 525 (CA)	370–71
<i>Carlton v Goodman</i> [2002] EWCA Civ 545	382–83, 388, 393, 402–3

<i>Chandler v Webster</i> [1904] 1 KB 493 (CA)	174-75, 241
<i>Chase Manhattan Bank NA v Israel-British Bank (London) Ltd</i> [1981] Ch 105 (HC)	94, 362-64, 367-68
<i>Chaterton v Maclean</i> [1951] 1 All ER 761 (HC)	237
<i>Choithram (T) International SA v Pagarani</i> [2001] 1 WLR 1 (PC)	388
<i>Cleveland Trust plc, Re</i> [1991] BCLC 424 (HC)	378
<i>Clough v London & Northwestern Railway</i> (1871) LR 7 Ex 26	370-71
<i>Cook v Deeks</i> [1916] 1 AC 554 (PC)	354
<i>Cook v Hutchinson</i> (1836) 1 Keen 42 (RC)	391
<i>Cowcher v Cowcher</i> [1972] 1 WLR 425 (HC)	383
<i>Crabb v Arun District Council</i> [1976] 1 Ch 179 (CA)	438
<i>Craven Ellis v Canons Ltd</i> [1936] 2 KB 403 (CA)	251
<i>Criterion Properties plc v Stratford UK Properties LLC</i> [2004] 1 WLR 1846 (HL)	88
<i>Croome v Croome</i> (1888) 59 LT 582 (HL)	391
<i>CTN Cash and Carry Ltd v Gallaher Ltd</i> [1994] 4 All ER 714 (CA)	275, 287
<i>Cundy v Lindsay</i> (1878) 3 App Cas 459 (HL)	370, 372
<i>Cutter v Powell</i> (1795) 6 TR 320 (KB)	176
<i>De Mattos v Gibson</i> (1858) 4 De G & J 276 (CA)	187
<i>De Visme, Re</i> (1864) 2 De G J & S 17 (CA in Chancery)	380
<i>Derry v Peek</i> (1889) 14 App Cas 337 (HL)	330
<i>Deutsche Morgan Grenfell Group plc v IRC</i> [2006] Ch 243 (CA); [2006] UKHL 49, [2006] 3 WLR 781 (HL)	49, 71-73, 79, 101, 138, 271-72, 274, 277, 314
<i>Dies v British & International Mining Finance Corp Ltd</i> [1939] 1 KB 724 (HC)	175-76, 240
<i>Dillwyn v Llewelyn</i> (1862) 4 De G F & J 517 (CA in Chancery)	249
<i>Donoghue v Stevenson</i> [1932] AC 562 (HL)	246, 271
<i>Douglas v Hello!</i> [2005] EWCA Civ 595	202
<i>Dubai Aluminium Co Ltd v Salaam</i> [2003] 2 AC 366 (HL)	88, 281
<i>Dufour v Pereira</i> (1769) 1 Dick 419 (HC of Chancery)	94
<i>Dyer v Dyer</i> (1788) 2 Cox Eq 92 (Ex)	382, 389
<i>Earl Dawdor v Lewis</i> (1835) 1 Y & C Ex 427 (Ct of Exchequer in Equity) . .	255
<i>Eastgate, ex parte Ward, Re</i> [1905] 1 KB 465	370, 375
<i>Edinburgh and District Tramways Ltd v Courtenay</i> [1908] 16 SLT 548, 1909 SC 99 (Ct of Sess, 1 Div)	32, 64
<i>El Aljou v Dollar Land Holdings plc</i> [1993] 3 All ER 717 (HC); reversed [1994] 2 All ER 685 (CA)	370, 402
<i>Exall v Partridge</i> (1799) 8 Term Rep 308 (KB)	286
<i>Eykyn's Trust, Re</i> (1877) 6 Ch D 115 (HC)	386
<i>F, In re</i> [1990] 2 AC 1 (HL)	285
<i>Falcke v Scottish Imperial Insurance Co</i> (1886) 34 Ch D 234 (CA)	35, 250, 254, 272
<i>Ferguson v Carrington</i> (1829) 9 B & C 59 (KB)	369
<i>Ferguson (D O) & Associates v Sohl</i> (1992) 62 Build LR 95 (CA)	243

<i>Fibrosa Spolka Akcyjna v Fairbairn Lawson Combe Barbour Ltd</i> [1943] AC 32 (HL)	136, 174, 226–27, 234, 238, 240–42
<i>Foord, Re</i> [1922] 2 Ch 519 (HC)	391
<i>Foskett v McKeown</i> [2001] 1 AC 102 (HL)	11, 31, 79, 101, 138, 346, 365, 404
<i>Fowkes v Pascoe</i> (1875) LR 10 Ch 343 (CA)	388
<i>Frazer v Walker</i> [1967] 1 AC 569 (PC)	356
<i>Garrett v Wilkinson</i> (1848) 2 De G & Sm 344 (HC in Chancery)	385
<i>Gilbert-Ash (Northern) Ltd v Modern Engineering (Bristol) Ltd</i> [1974] AC 689 (HL)	231
<i>Gissing v Gissing</i> [1971] AC 886 (HL)	383
<i>Gladstone v Hadwen</i> (1813) 1 M & S 517 (KB)	369–71
<i>Goldcorp Exchange Ltd, Re</i> [1995] 1 AC 74 (PC)	375
<i>Goring, The</i> [1988] AC 831 (HL)	273
<i>Great Northern Railway Co v Swaffield</i> (1874) LR 9 Ex 132 (Exchequer)	272
<i>Greenwood v Bennett</i> [1973] 1 QB 195 (CA)	39
<i>Gresley v Mousley</i> (1859) 4 De G & J 78 (CA Ch)	376
<i>Grey v Grey</i> (1677) 2 Swans 59, (1677) Rep Temp Finch 338 (HC in Chancery)	382, 385
<i>Guinness plc v Saunders</i> [1990] 2 AC 663 (HL)	365
<i>Guinness Mahon & Co Ltd v Kensington and Chelsea Royal London Borough Council</i> [1999] QB 215 (CA)	268, 277
<i>Harrison v Walker</i> (1792) Peake's NP 150 (KB)	369–71, 375
<i>Harrods Ltd v Harrodian School Ltd</i> [1996] RPC 697 (CA)	198–99
<i>Hasham v Zenab</i> [1960] AC 316 (PC)	409
<i>Haswell v Hunt</i> Noted 5 TR 232 (KB)	369–70
<i>Haynes v Harwood</i> [1935] 1 KB 146 (CA)	288
<i>Henderson v Merrett Syndicates Ltd</i> [1995] 2 AC 145 (HL)	61, 187
<i>Hodgson v Marks</i> [1971] 1 Ch 892 (CA)	387, 396–97, 400–1
<i>Hoenig v Isaacs</i> [1952] 2 All ER 176 (CA)	233
<i>Holland Hodgson</i> (1872) LR 7 CP 328 (Exchequer)	254
<i>Holt v Markham</i> [1923] 1 KB 504 (CA)	246
<i>Hong Kong Fir Shipping Co Ltd v Kawasaki Kisen Kaisha Ltd</i> [1962] 2 QB 26 (CA)	234
<i>Hooper v Exeter Corporation</i> (1887) 56 LJQB 457 (HC)	302
<i>Howard v Pickford Tool Co Ltd</i> [1951] 1 KB 417 (CA)	364
<i>Howe v Smith</i> (1884) 27 Ch D 89 (CA)	226
<i>Hussey v Palmer</i> [1972] 1 WLR 1286 (CA)	249, 260
<i>Hyundai Heavy Industries Co Ltd v Papadopoulos</i> [1980] 1 WLR 1129 (HL)	226, 236–39, 243
<i>International Sales & Agencies Ltd v Marcus</i> [1982] 3 All ER 551 (HC)	377
<i>Inwards v Baker</i> [1965] 2 QB 29 (CA)	249
<i>Jenkins v Tucker</i> (1788) 1 Hy Bl 90 (CP)	272
<i>John v Dodwell & Co</i> [1918] AC 563 (HL)	365
<i>Jones (Trustee of) v Jones</i> [1997] Ch 159 (CA)	11, 189
<i>Junior Books Co v Veitchi Co Ltd</i> [1983] AC 520 (HL)	187

<i>Keech v Sandford</i> (1726) Sel Cas Ch 61 (LC)	94
<i>Kelly v Solari</i> (1841) 9 M & W 54 (Ex)	248, 258, 262-64, 399
<i>Kingdom v Bridges</i> (1688) 2 Vern 67 (Ct of Chancery)	385
<i>Kingsford v Merry</i> (1856) 11 Ex 577	370-71
<i>Kingston v Preston</i> (1773) 2 Dougl 689 (KB)	227
<i>Kleinwort Benson v Birmingham City Council</i> [1996] 4 All ER 773 (CA)	33
<i>Kleinwort Benson Ltd v Lincoln City Council</i> [1999] 2 AC 349 (HL)	13, 48, 71, 101, 270, 275, 292
<i>Kleinwort Benson Ltd v Sandwell Borough Council</i> [1994] 1 WLR 938 (HC) .	268
<i>Kuppusami v Kuppusami</i> [2002] EWHC 2758 (Ch)	385
<i>Lacey (William) (Hounslow) Ltd v Davis</i> [1957] 1 WLR 932 (HC)	251, 261
<i>Laird v Pim</i> (1841) 7 M & W 474; 151 ER 854 (Ct of Exchequer)	230, 239
<i>Lane v Dighton</i> (1762) Amb 409 (RC)	395
<i>Lep Air Services Ltd v Rolloswin Investments Ltd</i> [1973] AC 331 (HL)	237
<i>Letang v Cooper</i> [1965] 1 QB 232 (CA)	410, 425
<i>Lewis v Avery</i> [1972] 1 QB 198 (CA)	370
<i>Lipkin Gorman (a firm) v Karpnale Ltd</i> [1991] 2 AC 548 (HL) . . .	23, 40, 41, 53, 62, 81, 138, 142, 189-90, 198, 276, 434
<i>Lloyd v Spillet</i> (1740) 2 Atk 148 (HC in Chancery)	382
<i>Lloyd's Bank v Rosset</i> [1991] 1 AC 107 (HL)	386
<i>Load v Green</i> (1846) 15 M & W 216 (Ex)	369-71, 375
<i>Lohia v Lohia</i> [2001] WTLR 101 (CA)	387
<i>Lonrho plc v Fayed (No 2)</i> [1992] 1 WLR 1 (CA)	93
<i>Lord Strathcona Steamship Co Ltd v Dominion Coal Co</i> [1926] AC 108 (PC) .	187
<i>Low v Bouverie</i> [1891] 3 Ch 82 (CA)	330
<i>Lumley v Gye</i> (1853) E & B 216 (QB)	187-88
<i>Lysaght v Edwards</i> (1876) 2 Ch D 499 (CA)	94
<i>McDonald v Coys of Kensington</i> [2004] 1 WLR 2775 (CA)	39
<i>McPhail v Persons, Names Unknown</i> [1973] 3 WLR 71 (CA)	413, 417
<i>Mara v Browne</i> [1896] 1 Ch 199 (CA)	344
<i>Martin v Andrews</i> (1856) 7 El & Bl 1 (QB)	173
<i>Martin v Pewtress</i> (1769) 4 Burr 2477 (KB)	369
<i>Maskell v Horner</i> [1915] 3 KB 106 (CA)	145
<i>Milward v Forbes</i> (1802) 4 Esp 171 (KB)	369-70, 375
<i>Ministry of Defence v Ashman</i> [1993] 2 EGLR 102 (CA)	87
<i>Morice v Bishop of Durham</i> (1804) 9 Ves Jun 399 (HC in Chancery); <i>affirmed</i> (1805) 10 Ves Jun 522 (HC in Chancery)	389
<i>Morton v Lamb</i> (1797) 7 TR 125 (KB)	228
<i>Moses v Macferlan</i> (1760) 2 Burr 1005	135, 168, 172
<i>National Westminster Bank plc v Somer International (UK) Ltd</i> [2002] 1 All ER 198 (CA)	320, 324
<i>Neste Oy v Lloyds Bank plc (The Tiiskeri)</i> [1983] 2 Lloyd's Rep 658 (HC)	364, 366-67
<i>Newfoundland Government v Newfoundland Railway Co</i> (1888) 13 App Cas 190 (PC)	237