

THE DIGEST

ANNOTATED
BRITISH,
COMMONWEALTH
AND
EUROPEAN
CASES

19

EASTERN
EUROPEAN
ECONOMICS



BUTTERWORTHS

The Digest

*Annotated British, Commonwealth and
European Cases*

I9

1981 reissue

**Easements and Profits à Prendre
Ecclesiastical Law
Education**

London
Butterworth & Co (Publishers) Ltd
1981

England Butterworth & Co (Publishers) Ltd
 London 88 Kingsway, WC2B 6AB
 Australia Butterworths Pty Ltd
 Sydney 271-273 Lane Cove Road, North Ryde, NSW 2113
 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 & Co (Publishers) Inc
 Boston 10 Tower Office Park, Woburn, Mass 01801

© Butterworth & Co (Publishers) Ltd 1981

Reprinted 1987

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.

ISBN for complete set of volumes 0 406 02500 2
 For this volume 0 406 02596 7

The Digest

Annotated British, Commonwealth and European Cases

19

1981 reissue

FIRST EDITION

Published in 47 volumes between 1919 and 1932 under the direction of the Rt. Hon. the Earl of Halsbury, Lord High Chancellor of Great Britain, 1885-86, 1886-92 and 1895-1905, and Sir Thomas Willes Chitty.

Annual Cumulative Supplements 1932-1951 were consolidated in two volumes, 1932-1940 and 1941-1951.

"BLUE-BAND" REPLACEMENT EDITION

Published in 56 volumes between 1950 and 1970. Annual Cumulative Supplements 1952-1979 were consolidated in Continuation Volumes A 1952-1963, B 1964-1966, C 1967-1970, D 1971-1975, and E 1976-1979.

"GREEN-BAND" REISSUE EDITION

Publishing began in 1971.

Annual Cumulative Supplements 1971-1979 were consolidated in Continuation Volume D 1971-1975, and E 1976-1979.

The Titles in this volume were contributed to the original issue by:

Easements and Profits à Prendre

JA Reid, Esq Barrister

AR Clarke-Williams, Esq MA LLB Barrister

Ecclesiastical Law

R Lee Campbell, Esq Barrister,

Alfred J Fellows, Esq BA Barrister

GFL Bridgman, Esq Barrister

Education

W Valentine Ball, Esq OBE Master of the Supreme Court

Maurice E Watts, Esq BA Barrister

The Titles were revised for the Blue Band Replacement issue by:

Philip F Skottowe, Esq LLB Barrister

The titles were revised and compiled for this Green Band Reissue by:

Peter Stickland LLB, Solicitor

Teresa H Grant LLB, Solicitor

Susan Westaway LLB, Solicitor

In this volume, English cases reported up to 1st June, 1981, 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

Ct of Sess	Court of Session
Cty	County
Cty Ct	County Court

DC	Divisional Court
DPP	Director of Public Prosecutions
Dept	Department
Distd	Distinguished
Div Ct	Divisional Court

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

ECJ	European Court of Justice
E Af	East Africa
Eccl Comrs	Ecclesiastical Commissioners
Eccl Ct	Ecclesiastical Court
EEC	European Economic Community
Ex Ch	Exchequer Chamber
Ex p	Ex parte
Exch	Exchequer
Exch Ct	Exchequer Court
Expld	Explained
Extd	Extended

Fam Div	Family Division
Fi fa	Fieri facias
Folld	Followed

BC	Borough Council
BC	British Columbia

Govt	Government
------	------------

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

HC of A	High Court of Australia
HL	House of Lords
HSI	Halsbury's Statutory Instruments

I of M	Isle of Man
IR Comrs	Inland Revenue Commissioners
Inc	Incorporated
Ir	Ireland

Ca sa	Capias ad satisfaciendum
Can	Canada

JJ	Justices
Jud Act	Judicature Act

Ch Div	Chancery Division
Cl/cll	Clause/clauses
Co	Company

KB Div	King's Bench Division
--------	-----------------------

Consist Ct	Consistory Court
Cont	Continued
Comrs	Commissioners
Consd	Considered
Corpn	Corporation
Ct	Court

LB	Local Board
LC	Lord Chancellor
LCC	London County Council
LG	Local Government
LG Board	Local Government Board
LJ	Lord Justice
LJJ	Lords Justices

Ct of Bkpcy	Court of Bankruptcy
Ct of Ch	Court of Chancery
Ct of Eq	Court of Equity
Ct of R	Court of Review

Lieut-Gov	Lieutenant-Governor
London BC	London Borough Council
Ltd/Ltda/Ltee	Limited/Limitada/Limitee

Mags	Magistrates	Revsg	Reversing
Man	Manitoba	Rs/rr	Rules
Mentd	Mentioned	Ry Co	Rail Co or Railway Co or Railway Company
NB	New Brunswick		
NF	Not Followed	S	Section
NI	Northern Ireland	SA	Societe Anonyme
NP/np	Nisi Prius	S Af	South Africa
NS	Nova Scotia	S Aus	South Australia
NSW	New South Wales	SC	Same Case
NWP	North-West Provinces	SC (Name	Supreme Court of a Colony
NWT	North-West Territories	of colony	
NZ	New Zealand	following)	
		SE	Settled Estates
Ont	Ontario	SS	Steamship
Ord	Order	Sask	Saskatchewan
Overd	Overruled	Sched	Schedule
		Sci fa	Scire facias
		Sect/s	Section
PC	Privy Council	Soc	Society
PEI	Prince Edward Island	Soc Anon	Societe Anonyme
QB Div	Queen's Bench Division	TC	Town Council
Qd	Queensland	Tas	Tasmania
Qu	Quaere		
Que	Quebec	UC	Urban Council
		UDC	Urban District Council
R/r	Rule	UK	United Kingdom
RAF	Royal Air Force	US/USA	United States of America
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		
Revsg	Reversed	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, except those classified as “Referred to” which come at the end of the group and are arranged *inter se* in chronological order. 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.

“Referred” (Refd) This expression is used only where the annotating case deals with the point of the Digest paragraph and is without comment of any definite character on the case annotated, and where there is no delicate shade of approval or disapproval which would justify the use of any of the foregoing words.

“Mentioned” (Mentd) The cases formerly included under this expression are now omitted in order to prevent an undue increase in the bulk of the volume. They had no relevance to the paragraphs digested and were included only in order to give a complete list of all judgments in which the annotated case was mentioned. They still appear in other titles to which they are relevant.

TABLE OF CASES

NOTE—Case numbers are printed in bold, thus: **264**, except in the case of cross-references which are printed in ordinary type, thus: 462.

A

	CASE		CASE
Abbott v Gurney (1843)	2621	Alston v Atlay (1837)	2382 , 2455, 2564
Abbott v Isham (1920)	3998	Ambler v Gordon (1905)	1512 , 1515
Abell v Woodbridge Village & York County (CAN)	534	An Application, Re (1897)	3134
Abrahams v Cavey (1967)	2975	Anderson v Bostock (1976)	1669
Abson v Fenton (1823)	1104	Anderson v Gislason (CAN)	3816
Achdus Free Loan Society v Shatsky & Gas Arnaud Ltd & Arnaud (CAN)	1177	Andover (Rector) (Doe d) v Kennedy (CAN)	1986
Ackerley v Parkinson (1815)	3426	Andrews v Adams (1850)	232 , 3096
Ackroyd v Smith (1850)	21 , 185	Andrews v Drever (1835)	3283 , 3284
Acton v Blundell (1843)	1290	Andrews v Waite (1907)	1530, 1587 , 1610
Acton Local Board v North National & South Western Junction Ry Co (1893)	658	Angus v Dalton (1878) 4	4
Acton's Case (1603)	2251	Ankersen v Connelly (1907) 1	1542
Adams v Andrews (1850)	232 , 3096	Anon (1347)	737
Adams v Board of School Comrs for Halifax (CAN)	4034	Anon (1465)	2497
Adams v Co-op Permanent Bldg Soc Ltd (1970)	1268	Anon (1469)	75
Adams v Fairweather (CAN)	486	Anon (1507)	2643
Adams v Loughman (CAN)	904	Anon (1563)	2123
Addington v Clode (1775)	507	Anon (1568)	2438
Adeane v Mortlock (1839)	1438	Anon (1572)	1756
Adey v Theobald (1836)	3833	Anon (1573)	2363 , 2373
Adlam v Colthurst (1867)	1982	Anon (1588)	1686
Ahmad v ILEA (1978)	4112	Anon (1589)	2371
Aird v Jcunson (CAN)	3866	Anon (1607)	2449
Akerley v Bellefleur (CAN)	1672	Anon (1608)	3135
Albany v St Asaph (Bp) (1588)	2451 , 2515	Anon (1627)	1835 , 1837 , 1847
Albemarle (Earl) v Rogers (1796)	2365 , 2368	Anon (1627)	2458
Albarni Land Co v Registrar General of Titles (CAN)	221	Anon (1684)	3839
Alberta Loan & Investment Co v Beveridge & Johnston (CAN)	162	Anon (1684)	3841
Alberta Teachers' Assocn and Board of Trustees of Edmonton School District No 7 (CAN)	4212	Anon (1695)	3154
Aldenharn (Lord) v Armagh (Archbp) (IR)	1828	Anon (1704)	2159
Alderton v St Aubyn (1840)	2595	Anon (1814)	2050
Aldin v Latimer Clark, Muirhead & Co (1894) 402, 1632, 1635, 1641	106 , 1455	Anon (1814)	2053
Aldred's Case (1610)	351	Anon (1815)	1955
Aldridge v Wright (1929)	733, 1083, 1097	Anon (1814)	2092
Allan v Gomme (1840)	1858, 1860,	Anthony v FW Woolworth Co Ltd (CAN)	1053
Allcroft v London (Lord Bp) (1891)	2677 , 3387	Anthony Seger (1789)	1926
Allen, R v (1872)	1932, 1946 , 1948, 2272, 2275	Antrim (Earl) v Dobis (IR)	222
Allen, Re (1954)	1803	Apperley v Hereford (Bp) (1833)	2420 , 2562
Allen v Greenwood (1979)	1516	Arbn Act, Re (CAN)	4145
Allen v Taylor (1880)	425	Ardley v St Pancras Guardians (1870)	330 , 1028
Allen v Williams (1854)	2575	Argar v Holdsworth (1758)	2964, 3649
Alleyn's College, Dulwich Re (1875) 1	4170	Arkwright v Gell (1839)	525 , 1358, 1365, 1371
All Saints, Leamington Priors, Re (1963)	2750	Armagh (Archbp) v A-G (1730)	2322
All Saints, Plymouth, Re (1980)	3532	Arneil v Robertson (SCOT)	3769
All Saints, Westbury (Vicar & Churchwardens) (1914)	2805 , 2808	Arnold v Bath & Wells (Bp) (1829)	2217 , 2218
Alms Corn Charity, Re (1901)	3204, 3293	Arnold v Jefferson (1697)	108 , 758
		Arrowsmith, ex p (1878)	3020
		Arthington v Chester (Bp) (1790)	2377
		Ash v Methodist Church (CAN)	3788
		Ashgells & Dennis Case (1589)	2371
		Asher v Calcraft (1887)	3050
		Askew, R v (1768)	4259
		Aspden v Seddon (1875)	396
		Aspotogan Ltd v Lawrence (CAN)	884
		Astle v Thomas (1823)	1915 , 1981
		Aston University Aston, R v ex p Roffey (1969)	4241
		Atlantic Concrete Ltd v LeVatte Construction Co Ltd (CAN)	1689

References are to case numbers

	CASE		CASE
Barret v Glubb (1776)	2470	Bennison v Cartwright (1864)	616
Barrow-in-Furness Corpn & Rawlinson's Contract (1903)	191	Berkeley (Earl) (Doe d) v York (Archbp) (1805) ..	3190
Barry v Hasseldine (1952)	932	Berney v Norwich (Bp) (1867)	3511, 3516, 3688
Barsham, Suffolk (Rector, etc) v Barsham, Suffolk (Parishioners) (1896)	2800	Berry v Wheeler (1662)	2263
Bartlett, Re (1848)	2194, 2628, 2629	Berwick v Alker (1872)	3012
Bartlett, ex p (1848)	2194	Beswick v Alker (1872)	3012
Bartlett v Downes (1825)	444	Betham v Gregg (1834)	2563, 3270
Bartlett v Kirwood (1853)	2630, 2634, 2637, 3694	Better v Hatch (1907)	3186
Bartlett v Phillips (1859)	3224	Betts (Frederick) Ltd v Pickfords Ltd (1906)	410
Bartlett v Tottenham (1932)	392, 1361	Bevan v London Portland Cement Co Ltd (1892) ..	63
Barton v Hinson (1942)	1998	Bevan v Shears (1911)	3910
Basingstoke School (1877)	3948	Beverley v Canterbury (Archbp) (1584)	2433
Baskerville's Case (1585)	2444	Bewley v Atkinson (1879)	1616
Bass v Gregory (1890)	542, 1630, 1642	Bickley v Romanow (CAN)	883
Basset v Gee (1600)	2320, 2321	Bidder v North Staffordshire Ry Co (1878)	1047
Bateman Re (1870)	3139, 3359	Biggar v Allan (CAN)	117
Bateman, Ex p (1870)	3139, 3359	Bilida and Salisbury Roman Catholic Separate School District No 105 Re (CAN)	4149
Bath & Wells (Bp), Re (1899)	3202	Billing v St Aubyn (1861)	2599
Bathishill v Reed (1856)	585	Bilston (Chapel Wardens) R v (1850)	1893
Bathurst, R v (1760)	2231	Binckes v Pash (1862)	1533
Bathurst (Earl) v Cirencester Parish (1921) ..	3029, 3073, 3078	Birch v Litchfield (Bp) (1803)	2302, 2424
Batten v Gedy (1889)	3163, 2060, 2091, 3405, 3540	Bird v Higginson (1835) (1837)	1679
Battiscombe v Eve (1863)	2987, 2991, 2992, 3402	Bird v Relph (1833)	3215
Battishill v Reed (1856)	565, 598, 615	Birmingham City Council v Elson (1979)	4129
Baxendale v McMurray (1867)	1396	Birmingham Corpn v Allen (1877)	1187
Baxendale v North Lambeth Liberal & Radical Club Ltd (1902)	995	Birmingham, Dudley & District Banking Co v Ross (1888)	301, 400
Baxter v Bower (1875)	829, 1541, 1626	Bishop v Springett (1831)	599
Baxter v Taylor (1832)	786	Bishop Auckland Industrial Co-op Soc Ltd v Butterknowle Colliery Co Ltd (1904)	1197
Bayley v Drever (1834)	3283	Bps' Temporalities & Spiritualities Case (1583) ..	1865, 1866
Bayley v Great Western Ry Co (1884)	296	Bishopwearmouth (Rector & Churchwardens) v Adey (1958)	2719, 2912
Baylis v London (Bp) (1913)	2583	Black v Dryburgh (SCOT)	166
Beadel v Perry (1868)	1497	Black v Scottish Temperance Life Assurance Co (IR)	804, 1465
Beal v Liddell Parke & Evans (1857)	2673	Blackball Coal Co Ltd v Shives (NZ)	1204
Bealey v Shaw (1805)	491, 539, 1299, 1321	Blackburne v Gernon (IR)	3316
Beard v Moira Colliery Co Ltd (1915)	1241	Blackburne v Somers (IR)	1354, 1409
Beaudely v Brook (1607)	655, 963	Blanchard v Richer (CAN)	2148
Beaumont v Surrey CC (1968)	4020, 4083	Bland v Cheltenham Archdeacon of (1970) ..	3669, 3677, 3678
Beauparlant v Board of Trustees of Separate School Sect No 1 of Appleby (CAN)	4110	Bland v Mosely (1587)	1624
Beaurain v Scott (1812)	3371, 3475	Blandrent Investment Developments Ltd v British Gas Corpn (1978)	881
Beddington v Atlee (1887)	300	Blane v Geraghty (IR)	2152
Bedford Charity Re (1833)	4175	Blencowe v Northamptonshire County Council (1907)	3925, 3990, 4097
Beecher's Case (1577)	2160	Blewett v Tregonning (1835)	1723
Beek, ex p (CAN)	2094	Blinco v Marston (1596)	3280
Beere v Fleming (IR)	1695	Bliss v Hall (1838)	152
Beeston v Weate (1856)	488, 1368, 1375	Bliss v Woods (1831)	2175, 2553
Bélanger v Commissaires d'Ecoles pour la Municipalité de St-Gervais comté de Belle-chasse (CAN)	4146	Blooer, R v (1760)	3329
Belfast Ropeworks Co v Boyd (IR)	1421	Bluck v Hodgson (1847)	2626, 3324
Bell v Bassett (1882)	2117	Bluck, Re Rackham v Bluck (1846)	3361
Bell v Golding (CAN)	714	Bluck v Rackham (1846)	3361
Bell v Graham (1907)	1800, 3907	Blyth v Parlon (AUS)	265
Bell v Marsh (CAN)	734	Board of Agriculture, R v (1899)	3299
Bell v Midland Ry Co (1861)	788, 1157	Board of Broadview Unit No 18 of Saskatchewan v Saskatchewan Teachers Federation (CAN)	4136
Bell v Norwich (Bp) (1565)	2514	Board of Education, R v (1910)	3917, 3920, 3929
Bell v Pitt (AUS)	1345	Board of Education v Rice (1911)	3917, 3920, 3929
Bell v Twentyman (1841)	1437	Board of Education for City of London & Fenn, Re (CAN)	4154
Bellamie v — (1615)	3229	Board of Education for Toronto v Higgs (CAN) ..	4036
Bellars v Geast (1741)	2104		
Beneficed Clerk v Lee (1897)	3643, 3644		
Bennett v Apperley (1827)	2617		
Bennett v Bonaker (1828)	2665		
Bennett v Bonaker (1830)	3485, 3489		

CASE	CASE
Board of Moosomin School Unit No 9 & Gordon Re (CAN)	4152
Board of Moosomin School Unit No 9 v Gordon, MacMurchy & A-G for Saskatchewan (CAN) . . .	4152
Board of Oxbow School Unit No 1 of Saskatchewan v Eamer (CAN)	4153
Board of Trustees of Edmonton School District No 7 v Malati (CAN)	4143
Bobbing (Inhabitants), R v (1836)	2038
Bodenham v Ricketts (1836)	3414
Bohane v Driscoll (IR)	4068
Boivin & Boivin v Glenavon School District (CAN)	4004
Bolton v Bolton (1879)	276, 959, 967
Bolton v London School Board (1879)	959
Bonaker v Evans (1850)	2636, 2638
Bond v Nottingham Corpn (1939)	1274
Bond v Nottingham Corpn (1940)	1275
Bonomi v Backhouse (1859)	1173
Bonwell v London (Bp) (1861)	3447
Booth v Alcock (1873)	190, 329
Booton v Rochester (Bp) (1618)	2441
Borgnis v Edwards (1860)	865
Borman v Griffith (1930)	324, 377
Born v Turner (1900)	337
Boryszko v Board of Education of City of Toronto and Bennett-Pratt Ltd (CAN)	4007
Bosanquet v Heath (1860)	1972, 3345, 3346
Boswel's Case (1605)	2400, 2406, 2407, 2418, 2399, 2448
Boughton v Gousley (1599)	1887
Boulton v Richards & Booth (1819) (1821)	2256
Bowditch v Wakefield Local Board (1871)	4234
Bowell v Milbank	2289
Bowen v Hodgson (1923)	3915
Bower v Hill (1835)	690, 787, 1150
Bower v Peate (1876)	1271
Bowers v Young (1904)	4202
Bowes v Reid (CAN)	580, 609, 651
Bowley v Woodley (CAN)	1377
Bowry & Pope's Case (1588)	504
Boyd v Barker (1859)	3185, 3188
Boyd v Phillpotts (1874)	1869, 1881, 2126
Boyer v High Commission Ct (1614)	2468
Boyer v Norwich (Bp) (1892)	2312, 3713
Brabin v Trediman (1618)	3046, 3060
Brabin & Tradum's Case (1618)	3046, 3060
Bracewell v Appleby (1975)	51
Bracken's Settlement, Re (1903)	193
Bradburn v Morris (1876)	49, 1057, 1096, 1134
Bradbury v London Borough of Enfield (1967)	3984
Bradford v Fry (1878)	3624, 2694, 2784, 2788, 2796, 2858
Braid v Douglas (SCOT)	1416
Brammall (Doe d) v Collinge (1849)	3230
Bratt v Auty (1917)	3754, 3759
Bratt v Township of Malden (CAN)	181
Braty v Gregory (CAN)	1988
Bray v Somer (1862)	1963
Brazier v Glasspool (1901) (1902)	394
Bready v McLennan (No 2) (CAN)	419
Bredwardine (Vicar & Churchwardens), R v (1920)	1923
Brecks v Woolfrey (1838)	3493, 3507
Bremner v Hull (1866)	1944, 1945, 1953
Brett v Clowse (1880)	277
Brett v Mullarkey (IR)	3722
Brewing v Berryman (CAN)	253
Brewster, R v (CAN)	495
Brewster v Hender (CAN)	3794
Brickhead v York (Archbp) (1617)	2435
Briggs v Semmens (CAN)	441
Briggs v Shaw (1875)	2391
Bright v Walker (1834)	456, 582, 600
Brightman v Hazel (CAN)	745
Briscoe v Drought (IR)	1295
Bristol (Marquis) v Robinson (1854)	2298
Bristow v Skirrow (No 2) (1859)	2325
British American Oil Co Ltd and Philipovic, Re (CAN)	668
British Columbia (Bp) v Cridge (CAN)	1861
British Columbia Forest Products Ltd v Nordal & Nordal (CAN)	163
British Rys Board v Glass (1964)	1041
Britten v Wait (1832)	2578
Britton v Standish (1704)	2071, 3396
Britton v Wade (or Ward) (1620)	2265, 2254, 2268, 2269, 2270, 2271
Broadbent, ex p (1910)	3909
Broadbent v Ramsbotham (1856)	1326
Brocklebank v Thompson (1903)	96
Broderip Ex p (1908)	1925
Bromage v Vaughan (1852)	2576, 2618
Brook v Kelly (SCOT)	3852
Brooks v Muckleston (1909)	2288
Broomfield v Williams (1897)	305
Brost & Brost v Tilley School District (CAN)	4035
Brotherton, Re Brotherton v Brotherton, Re Markham's Settlement (1907) (1908)	16, 676
Brougham v Balfour (CAN)	1167
Brown v Alabaster (1887)	275
Brown v Bathurst Electric & Water Power Co (CAN)	1315
Brown v Best (1747)	1411, 1435
Brown v Dunstable Corpn (1899)	1382
Brown v Montreal (Curate & Churchwardens) (CAN)	3714
Brown v Montreal (Curé, etc) (CAN)	3715
Brown v Mugg (1702)	2249
Brown v Nichols (1603)	1422
Brown v Robins (1859)	1220, 1230, 1252
Brown v Spence (1663)	2540, 2550, 2556
Brown v Sweet (CAN)	3830
Brown v Windsor (1830)	1237
Browne v Flower (1911)	104, 113
Brownlow v Tomlinson (1840)	868
Brumfitt v Roberts (1870)	3089
Brummel v Wharin (CAN)	122
Brunton v Hall (1841)	1077
Brunskill v Harris (CAN)	3038
Brunskill v Watson (1868)	2222
Bryan v Whistler (1828)	228
Bryant v Foot (1867)	509
Bryant v Foot (1868)	3255, 3256
Bryant v Lefever (1879)	513, 1638, 1643
Buchanan v Ingersoll Waterworks Co (CAN)	1353
Buckyb v Coles (1814)	751
Buckley (RH) & Sons Ltd v Buckley (N) & Sons (1898)	1434
Buell v Read (CAN)	1341
Bullard v Harrison (1815)	916, 985
Bulstrode v Lambert (1953)	1049
Bulwer v Bulwer	2552, 3172, 3173
Bunbury v Fuller (1853)	3290
Bunt v Kent (1914)	3906

	CASE		CASE
Bunter v Cresswell (1850)	2603, 3631, 3690	Campbell's Trustees v Henderson (SCOT)	1229
Bunting v Hicks (1894)	72 , 281, 358, 390	Canada Southern Ry Co v Niagara Falls Town (CAN)	611
Burch v Reid (1873)	3487	Canham v Fisk (1831)	739
Burdeaux v Lancaster (1698)	1770 , 1776, 3254	Cannon v Villars (1878)	1008 , 1153
Burder v Hale (1849)	3657 , 3666	Cansfield v Blenkinsop (1849)	2051
Burder v Mavor (1848)	2565	Canterbury (Archbp), R v (1634)	2445 , 2454
Burder v O'Neill (1863)	3476 , 3509	Canterbury (Archbp), R v (1807)	3518
Burder v Pughe (1855)	3660	Canterbury (Archbp) & London (Bp) R v (1812)	2237
Burder v Speer (1841)	3477 , 3494 , 3659	Canterbury (Archbp), R v (1848)	1784, 1806, 1818, 1840, 1841
Burder v Veley (1840)	2063 , 2085	Canterbury (Archbp), R v (1856)	3388
Burgoyne v Free (1829)	3439 , 3645 , 3650	Canterbury (Archbp), R v (1859)	2230
Burke v Blake (IR)	689	Canterbury (Archbp), R v (1902)	1785, 1819, 1842 , 1843, 1844
Burlington Presbyterian Church, Re (CAN)	3859	Canterbury (Archbp), R v ex p Morant (1944) ...	2398
Burnham v Garvey (CAN)	119	Capel v Buszard (1829)	17
Burrow v Tilson (1898)	2592	Capel v Child (1832)	2625
Burrows v Lang (1901)	98, 188, 312 , 1363, 1369	Capel St Mary, Suffollic (Rector & Churchwardens) v Packard (1927)	2710, 2731, 2746, 2754, 2828, 2829, 2836, 2849, 2854, 2873, 2874, 2875, 2896, 2903, 2946, 3595
Burton v Henson (1842)	1998 , 1999, 2049	Capel St Mary, Suffolk (Rector & Churchwardens) v Packard (1928)	3616 , 3629
Burton-Phillipson, ex p (1920)	1923	Capilano Bungalow Court Ltd v Kitson (CAN) .	1222
Bury v Pope (1588)	504	Carey v Toronto City (CAN)	687
Bush v Field (1580)	812 , 1261	Cargill v Gotts (1981)	80
Bussiére v Blais (CAN)	1342	Carlo & DiCarlo v Bishop (CAN)	416
Buszard v Capel (1828)	17	Carlyon v Lovering (1857)	1297 , 1305, 1310, 1331, 1392
Butchart v Doyle (CAN)	1110	Carmarthenshire County Council v Lewis (1955)	4065 , 4089
Butler & Goodale's Case (1598)	2183 , 2189 , 2190, 2193	Carnarvon (Earl) v Villebois (1844) .	1713 , 1716, 1717
Butt v Cambridgeshire Isle of Ely (1969) ...	4024 , 4086	Carpenter v Landon Overseers (1922)	2561
Butt v Imperial Gas Co (1866)	115 , 857	Carpet Import Co Ltd v Beath & Co Ltd (NZ)	569
Butt v Inner London Education Authority (1968)	4053	Carr v Benson (1868)	1743
Butt v Jones (1829)	3069 , 3527	Carr v Foster (1842)	617
Butterknowle Colliery Co Ltd v Bishop Auckland Industrial Co-op Co Ltd (1906)	1197	Carr v Marsh (1814)	2171 , 2176, 3479
Butterley Co Ltd v New Hucknall Colliery Co Ltd (1909) (1910)	1201, 1240	Carr v Mostyn (1850)	2260 , 3325
Butterworth v Walker (1765)	2072	Carr v Wallace (CAN)	2226
Buxton School, Re ex p Holland (1847)	4179	Carson v M'Kenzie (IR)	1517
Byard v Co-op Permanent Bldg Soc Ltd (1970) .	1268	Carstairs v Spence (SCOT)	1027 , 1060
Byerley v Windus (1826)	3023 , 3097	Carter v Cropley (1857)	2347
Byng v Byng (1862)	2372	Carthew v Edwards (1749)	3261
Byrd v Secretary of State for Education & Science (1968)	4094	Case of Convocations (1611)	1767 , 1771 , 1808 , 1809 , 1810
Byrne v Judd (NZ)	1178	Castle Bythan (Vicar), ex p (1895)	3203
Byrne v Steele (AUS)	1125	Catesby (Inhabitants), R v (1824)	1913
Byrte v Manning (1635)	2477	Catesby v Peterborough (Bp) & Baker (1606)	2442 , 2449
C			
Cable v Bryant (1908)	334, 1636 , 1648	Catesby's Case (1606)	2442 , 2449
Cahill v West Ham Corp'n (1937)	4050	Catten v Barwick (1719)	1943 , 1949
Cairncross v Lorimer (1860)	3812	Caudrey's Case (1591)	1760
Calcraft v Thompson (1866) (1867)	826, 1477	Caverhill v Robillard (CAN)	686
Caledonian Ry Co v Belhaven (Lord) (SCOT)	1180 , 1203	Cawdry v Atton (1591)	1760
Caledonian Ry Co v Sprot (1856)	395 , 1254, 1262	Cawkwell v Russell (1856)	756, 1387
Callaghan v Callaghan (IR)	1317	Cawston's Conveyance, Re Hassard-Short v Cawston (1939)	4230
Callard v Beenev (1930)	1011	Chadwick v Trower (1839)	1238
Cambridge University, Bentley's Case, R v (1723)	4257	Chamber Colliery Co v Hopwood (1886)	575
Cambridge University (Chancellor, etc) (1794) ..	4260	Chambers Case (1739)	2158
Cambridge (Vice-Chancellor, etc) R v (1765)	4258	Champneys, R v (1871)	1811
Camerton v St Luke's Salt Springs (Trustees) (CAN)	3863	Chancel Repairs Act 1932, Re (1935)	3157
Camkin v Bishop (1941)	4030, 4087	Chandler, ex p (CAN)	2182
Campbell v Paddington (Parishioners & Inhabitants) (1852)	3580	Chandler v Thompson (1811)	101, 1547
Campbell v Wilson (1803)	535	Chapel-en-le-Frith Parochial Church Council v Bagshawc (1929)	2332
		Chapman v Beard (1797)	2554 , 2558

CASE	CASE		
Chapman v Essex County Council (1957)	3890	Claverley (Vicar, etc) v Claverley (Parishioners, etc) (1909)	3049, 3093
Chapman v Jones (1869)	3336	Claverley (Churchwardens) v Claverley (Vicar, etc) (1909)	3049, 3093
Charity Comrs v Bode (1901)	3293	Clayton's Deed Poll, Re (1979)	4232
Charles v Finchley Local Board (1883)	1388	Clayton (Doe d) v Corby (1842) (1843)	1709, 1710, 1711, 1737
Charlesworth v Ramsay (AUS)	4009	Clayton v Dean (1849)	3529, 3579, 3615
Chastey v Ackland (1895) (1897)	1628, 1633, 1643, 1647	Clearly v Booth (1893)	3951
Cheam Common School, Re (1934)	4229	Cleland v Berberick (CAN)	1176
Cherrington v Abney (1709)	1544	Clements (Judge), Re ex p Ferridge (1932)	3308, 3310
Cherrington v Bell (NZ)	2981	Clements v Williams (1837)	3946
Chester (Bp), R v (1696) (1697)	2293, 2294	Clendenan v Blatchford (CAN)	1127
Chester (Dean & Chapter), R v (1850)	1872, 2125	Clergyman (A), ex p (1873)	2168
Chester's (Bp) Case (1699)	1820, 1821, 1824, 3373, 2471	Clerical Disabilities Act 1870, Re (1873)	2168
Chesterfield (Lord) v Harris (1908)	1668, 1739	Clerical Disabilities Act 1870, Re (1927)	2169
Chesterton, R v (1838)	3454, 3360	Clerk v Prinn (1669)	2177
Chesterton v Farlar (1838)	3360, 3363, 3454, 3456	Clerke d Prin v Heath (1669)	2177, 2255
Chetham v Williamson (1804)	1741	Clewer v Pullen (1684)	3686
Chichester (Bp) v Harward & Webber (1787)	1871, 2129, 2436	Clewer v Pullen (1868)	3446
Chichester v Lethbridge (1738)	972, 978, 909	Clifford v Hoare (1874)	895, 1032, 1131, 1158
Childs (Doe d) v Willis (1850)	4178	Clifford v Holt (1899)	1570
Chilvers v LCC (1916)	4046	Clifford v Wicks (1818)	3353
Chin Fan v Davis (NZ)	165	Clifton v Ridsdale (1876)	2797, 2806, 2831, 2919
Ching v Surrey County Council (1910)	3997	Clifton v Ridsdale (1877)	3465
Chipping Sodbury Grammar-School, Re (1829)	4166, 4185	Clinton v Hatchard (1822)	2245
Chivers & Sons Ltd v Secretary of State for Air (1955)	3160	Clippens Oil Co v Edinburgh District Water Trustees (1904)	624
Chollocombe v Tucker (1614)	769	Clogher's Case (IR)	3683
Choquette v Riberdy (CAN)	1123	Clouse v Canada Southern Ry Co (CAN)	833
Chorley, R v (1848)	678	Cobb v Saxby (1914)	116
Christ Church, Chislehurst, Re (1974)	3542	Coble v Allen (1617)	991
Christ Church, Ealing, Re (1906)	2847	Cochrane v Elgin Consolidated School District (CAN)	4109
Christ Church, East Greenwich (Vicar), ex p (1896)	3165	Cocker v Cowper (1834)	177, 230
Christ Church, Newgate Street (1909)	3547	Cockrane v Verner (IR)	164
Church of the Annunciation Chislehurst (Vicar) v Church of the Annunciation Chislehurst (Parishioners) (1877)	2785	Codling v Johnson (1829)	973
Church Assembly Legislative Committee, R v ex p Haynes Smith (1928)	1816	Cohen v Boone (CAN)	1162
Church Comrs for England, Re (1960)	3294	Colchester Corp v Brooke (1846)	1730
Church of England Property Trust Diocese of Gouldwin v Rossi (AUS)	2980	Cole v Police Constable 443A, (1936) 1884, 1997, 2083	
Church v Tame (1867)	1707, 1708	Colebach v Baldwyn (1692)	3021, 3401
Churchill v Evans (1809)	1748	Colebreck v Girdlers Co (1876)	1264
Churchville Metho-Episcopal Church Property, Re (CAN)	3818	Colefatt v Newcomb (1705)	2234
Churton v Frewen (1866)	3332, 3104, 3106, 3111	Collicum v Tucker (1613)	989
Cicutti v Suffolk County Council (1980)	4216	Collins v Price (1828)	3944
Citadel Brick Ltd v Garneau (CAN)	1283	Collins v Slade (1874)	1085
City of London Brewery Co v Tennant (1873)	648, 839, 1479, 1500, 1561, 1625	Collis v Laughner (1894)	1592
Clancy v Byrne (IR)	925	Colls v Home & Colonial Stores Ltd (1904)	835, 847, 1450, 1452, 1458, 1482, 1496, 1502, 1563
Claney v Davis (AUS)	1223	Colt v Glover (1617)	2434, 2439, 2440, 2499, 2500, 2652
Clark v Barnes (1929)	303, 321	Colt v Glover (1634)	1849, 1850
Clark v Cogge (1607)	371, 929	Colt's Case (1617)	2434, 2439, 2440, 2499, 2500, 2652
Clark v Monmouthshire County Council (1954)	4017, 4082	Colt's Case (1634)	1849, 1850
Clark v Muirhead & Co (1894)	402	Commendam Case, Colt & Glover v Coventry & Lichfield (Bp) (1617)	1849, 1850, 2434, 2439, 2440, 2499, 2500, 2652
Clarke, Blower & Austin, R v (1588)	2446	Compton v Richards (1814)	422
Clarke v Clark (1865)	1473	Coney v Choyce (1975)	3980
Clarke v Heath (1669)	2177	Conn Presbyterian Church, Re (CAN)	3856
Clarke v Pryn (1669)	2177	Conrad v Inner London Education Authority (1967)	4052
Clarke v Somersetshire Drainage Comrs (1888)	721, 1398	Conway v Conway (CAN)	340
Claverley's Case (prior to 1800)	235	Cook v Bath Corp (1868)	696
		Cooke v Ingram (1893)	709, 1004
		Cooke v Loxley (1792)	2488, 3194

	CASE		CASE
Coombe v Edwards (1878)	3701, 3377, 3442	Cullens v Cambusbarron Co-operative Society Ltd (SCOT)	945
Coombe v De la Bere (1881)	3449, 3679	Culverwell v Lockington (CAN)	155
Coombe v De la Bere (1882)	1882, 1883, 3450, 3452, 3676, 3689	Cummings v Birkenhead Corp'n (1971)	3877
Cooper v Barber (1810)	1300	Cumley R v (1855)	1900
Cooper v Dodd (1850)	1779, 2622, 3496	Curriers' Co v Corbett (1865)	353, 797, 822
Cooper v Gordon (1869)	3776	Cuvet v Davis (AUS)	746
Cooper v Greig (SCOT)	2154		
Cooper v Hubbuck (1860)	813, 815, 1536		
Cooper v Hubbuck (1862)	1596		
Cooper v Laidler (1903)	807		
Cooper v Straker (1888)	1593		
Cooper v Whitehouse (1834)	3766		
Cope v Barber Clarke & Hobson (1872) ..	2025, 2664		
Copeland v Greenhalf (1952)	137		
Corbett v Jonas (1892)	1506		
Cordell v Second Clanfield Properties Ltd (1968) ..	212		
Corfe, R v (1848)	1935		
Corkum, R v (CAN)	3961		
Cormack v Wick & Pulteneytown School Board (SCOT)	4005		
Cormier v Board of School Trustees District No 19 (CAN)	4142		
Cornwallis v Hood (1665)	2450		
Cort v St David's (Bp) (1634)	1848, 2537		
Corven's Case (1612)	3043, 3044, 3098, 3099, 3107, 3136		
Cory v Davies (1923)	246, 349, 404		
Costard v Winder (1600)	3193, 3682		
Cotching v Bassett (1862)	241, 1537		
Cotterell v Griffiths (1801)	1546		
Cough, R v (1848)	1935		
Coulter v TM Burke Pty Ltd (AUS)	1344		
Couper v Burn (SCOT)	3795		
Courtauld v Legh (1869)	1591		
Cousens v Rose (1871)	1079		
Coutts v Gorham (1829)	332		
Cowan, ex p (1927)	2169		
Cowling v Higginson (1838)	1022, 1056, 1066		
Cowlshaw v Ponsford (AUS)	418		
Cowper v Laidler (1903)	807, 844		
Coyle (Doe d) v Cole (1834)	4205		
Cox v Matthews (1673)	352		
Cox v Ricraft (1757)	3002, 3228		
Crampton v Marshall (IR)	2610		
Crampton v Meath (Bp) (IR)	2428		
Crawford v Ottawa Board of Education (CAN) ..	3983		
Crisp v Martin (1876)	3123, 3130		
Crisp v Price (1814)	885		
Crisp v Snowsill (NZ)	654		
Croft v A-G (1956)	4233		
Crompton v Jarratt (1885)	2366, 2375		
Cromwel's (Lord) Case (1601)	2651		
Cronin v Conner (IR)	1735		
Cronin v O'Shea (IR)	148		
Crooke v Murray (IR)	641		
Cross v Lewis (1824)	545		
Cross v Salter (1790)	3143		
Crossley & Sons Ltd v Lightowler (1867) ..	364, 679, 691, 694, 1397		
Crouch v Essex CC (1966)	4023, 4085		
Crow v Wood (1970)	323		
Crowe v Cabot (CAN)	532		
Crowley v Flood (IR)	3287		
Crump v Gilmore (1969)	3884		
Crump v Lambert (1867)	147		
Crysler v Creighton (CAN)	252		
Cuddington v Withy (1818)	2602		
		D	
		DJMS (MINOR), Re (1977)	3895
		Dagger Lane Chapel Trustees, R v (1804) ..	3742, 3765
		Dakins v Seaman (1842)	2214, 2640, 2656
		Dale's Case, Enragth's Case (1881)	3697
		Dalhousie Mills Presbyterian Church, Re (CAN) ..	3860
		Dalton v Angus (1881)	4, 9, 226, 244, 382, 552, 1175, 1243, 1246, 1248, 1263, 1298, 1307
		Daly v Gillman (IR)	1734
		Damper v Bassett (1901)	586
		Dand v Kingscote (1840)	1045, 1107
		Daniel v Ferguson (1891)	819
		Daniel v Morton (1850)	2225
		Daniel v North (1809)	544
		Dare v Heathcote (1856)	492, 1023
		Dargavell v Langdon (1678)	3662
		Darliss v Minister of Education (1954)	4218
		Darling v Clue (1864)	493, 702
		Darlington School (Governors), R v (1844) ..	4167, 4182, 4186, 4194
		Darrell v Pritchard (1865)	821
		Dartford (Vicar) Case (1739)	2158
		Darwin v Upton (1786)	490
		Daugars v Rivaz (1860)	3783
		Daunt v Crocker (1867)	1903, 3500
		Davey v Hinde (1901)	2680, 2711, 2822, 2833, 2844, 2846, 2852, 2853, 2856, 3417, 3427, 3473, 3605
		Davey v Hinde (1903)	2712, 2713, 2825, 2834, 2848, 2855
		Davie, R v (1837)	2219, 2346
		Davies, Re, Powell v Maddison (1955)	161, 407
		Davies v Banks (1836)	2345
		Davies v Du Paver (1952)	561, 620
		Davies v James Bay Ry Co (CAN)	1202
		Davies v Marshall (No 1)	333, 1532
		Davies v Marshall (1861)	682
		Davies v Powell Duffryn Steam Coal Co Ltd (No 2) (1921)	1174
		Davies v Sear (1869)	934
		Davies v Stephens (1836)	601, 1065
		Davis v Black (1841)	2966
		Davis v Jenkins (1814)	3727, 3736, 3740, 3814, 3823
		Davis v Marrable (1913)	1453
		Davis v Morgan (1825)	328
		Davis v Treharne (1881)	1192
		Davis v Whitby [1973] (1974)	975
		Davy (Doe d) v Haddon (1783)	4203
		Dawney v Dee (1620) ..	3101, 3103, 3140, 3142, 3144
		Daws v M'Donald (AUS)	1291
		Dawson v Church Comrs (1980)	2568
		Dawson v M'Groggan (CAN)	1702
		Dawson v Symonds (1848)	2589, 2594
		Dawtree v Dee (1620) ..	3101, 3103, 3140, 3142, 3144
		Day v Beddingfield (1615)	3128
		Deacon v South Eastern Ry Co (1889)	892
		Dean v Bennett (1870)	3780, 3781, 3785