

# THE CAMBRIDGE LAW JOURNAL

VOLUME 10

THE  
CAMBRIDGE LAW  
JOURNAL

EDITED BY  
S. J. BAILEY, LL.M.

VOLUME 10

*Published for*  
**THE CAMBRIDGE UNIVERSITY LAW SOCIETY**

**LONDON**  
**STEVENS & SONS LIMITED**  
**1950**

*Published by  
Stevens & Sons Limited  
of 119 & 120 Chancery Lane  
London - Law Publishers  
and printed in Great Britain  
by The Eastern Press Ltd.  
of London and Reading*

## LEADING ARTICLES

ALLEGIANCE AND PROTECTION, THE CORRELATION OF <span style="display: block; text-align: right;"><i>(Glanville L. Williams, PH.D., LL.D.)</i></span>	54
BENTHAM, JEREMY, 1748-1832 <span style="display: block; text-align: right;"><i>(H. A. Hollond, LL.M.)</i></span>	3
CIVIL PROCEDURE IN FRANCE AND ENGLAND <span style="display: block; text-align: right;"><i>(C. J. Hamson, LL.M.)</i></span>	411
COMMON EMPLOYMENT, THE ABOLITION OF THE DOCTRINE OF <span style="display: block; text-align: right;"><i>(Sir Percy Winfield, K.C., LL.D., F.B.A.)</i></span>	191
CORPORATIONS, THE LIABILITY OF, FOR THE TORTS OF THEIR SERVANTS <span style="display: block; text-align: right;"><i>(D. I. C. Ashton-Cross, LL.B., W.S.)</i></span>	419
COUNTESS GUNDRED'S LANDS <span style="display: block; text-align: right;"><i>(S. J. Bailey, LL.M.)</i></span>	84
DEFAMATION, MOOT CASE ON <span style="display: block; text-align: right;"><i>(C. J. Hamson, LL.M.)</i></span>	46
DIGEST 18.1.1.1, THE THREE QUOTATIONS FROM HOMER IN <span style="display: block; text-align: right;"><i>(David Daube, PH.D.)</i></span>	213
DIGEST 19.2.21, TENANCY OF PURCHASER <span style="display: block; text-align: right;"><i>(David Daube, PH.D.)</i></span>	77
ENGLISH CRIMINAL LAW AND ITS ADMINISTRATION, A HISTORY OF <span style="display: block; text-align: right;"><i>(Sir Arnold McNair, K.C., LL.D., F.B.A.)</i></span>	208
ILLEGAL CONTRACTS AND LIMITED INTERESTS <span style="display: block; text-align: right;"><i>(C. J. Hamson, LL.M.)</i></span>	249
JEWISH ARCAE, THE <span style="display: block; text-align: right;"><i>(K. Scott, LL.B.)</i></span>	446
LAND CHARGES AND NOTICE <span style="display: block; text-align: right;"><i>(S. J. Bailey, LL.M.)</i></span>	241
LAW, THE CONCEPT OF <span style="display: block; text-align: right;"><i>(B. E. King, LL.B.)</i></span>	423
LAW AND LAWYERS, SOME REFLECTIONS ON <span style="display: block; text-align: right;"><i>(The Right Hon. Lord Radcliffe, P.C., G.B.E.)</i></span>	361
LORD CHANCELLOR, THE OFFICE OF THE <span style="display: block; text-align: right;"><i>(The Right Hon. Lord Schuster, G.C.B., C.V.O., K.C.)</i></span>	175
PERPETUITIES, ULTERIOR LIMITATIONS AND THE RULE AGAINST <span style="display: block; text-align: right;"><i>(J. H. C. Morris, B.C.L.)</i></span>	392
PRISON ADMINISTRATION <span style="display: block; text-align: right;"><i>(R. M. Jackson, LL.D.)</i></span>	33
'QUASI-JUDICIAL' AND ITS BACKGROUND <span style="display: block; text-align: right;"><i>(H. W. R. Wade)</i></span>	216
RECORDS, ENGLISH COMMON LAW, SOME PRELIMINARIES TO THE STUDY OF <span style="display: block; text-align: right;"><i>(Sir Hilary Jenkinson, C.B.E.)</i></span>	375
WESTERN POSTCLASSICAL SCHOOLS <span style="display: block; text-align: right;"><i>(E. Volterra)</i></span>	196
YOUNG v. BRISTOL AEROPLANE CO., LTD., THE RULE IN. <span style="display: block; text-align: right;"><i>(R. N. Gooderson)</i></span>	432

## CONTRIBUTORS OF ARTICLES

ASHTON-CROSS, D. I. C.—Suggestions regarding the Liability of Corporations for the Torts of their Servants . . . . .	page 419
BAILEY, S. J.—Land Charges and Notice . . . . .	241
— The Countess Gundred's Lands . . . . .	84
DAUBE, D.—Tenancy of Purchaser ( <i>Digest</i> 19.2.21) . . . . .	77
— The Three Quotations from Homer in <i>Digest</i> 18.1.1.1 . . . . .	213
GOODERSON, R. N.—The Rule in <i>Young v. Bristol Aeroplane Co., Ltd.</i>	432
HAMSON, C. J.—Civil Procedure in France and England . . . . .	411
— Illegal Contracts and Limited Interests . . . . .	249
— Moot Case on Defamation . . . . .	46
HOLLOND, H. A.—Jeremy Bentham, 1748–1832 . . . . .	3
JACKSON, R. M.—Prison Administration . . . . .	33
JENKINSON, Sir Hilary, C.B.E.—Some Preliminaries to the Study of English Common Law Records . . . . .	375
KING, B. E.—The Concept of Law . . . . .	423
McNAIR, Sir Arnold D., K.C., LL.D., F.B.A.—A History of English Criminal Law and its Administration . . . . .	208
MORRIS, J. H. C.—Ulterior Limitations and the Rule Against Perpetuities	392
RADCLIFFE, The Right Hon. Lord, P.C., G.B.E.—Some Reflections on Law and Lawyers . . . . .	361
SCHUSTER, The Right Hon. Lord, G.C.B., C.V.O., K.C.—The Office of the Lord Chancellor . . . . .	175
SCOTT, K.—The Jewish Arcae . . . . .	446
VOLTERRA, Professor Edoardo, of Bologna.—Western Postclassical Schools . . . . .	196
WADE, H. W. R.—'Quasi-Judicial' and its Background . . . . .	216
WILLIAMS, Glanville L.—The Correlation of Allegiance and Protection	54
WINFIELD, Sir Percy, K.C., LL.D., F.B.A.—The Abolition of the Doctrine of Common Employment . . . . .	191

## CASES ANNOTATED

<p><i>Addis v. Burrows</i> . . . . . page 114  <i>Apt v. Apt</i> . . . . . 105</p> <p><i>Ball v. L.C.C.</i> . . . . . 275, 473  <i>Bannister v. Bannister</i> . . . . . 278  <i>Barkway v. South Wales Transport Co., Ltd.</i> . . . . . 276  <i>Bob Guinness v. Salomonsen</i> . . . . . 265  <i>Boy Andrew (Owners) v. St. Rognvald (Owners)</i> . . . . . 123  <i>Brockbank, Re</i> . . . . . 279  <i>Buckland v. Guildford Gas, Light and Coke Co.</i> . . . . . 272</p> <p><i>Cannon v. Hartley</i> . . . . . 466  <i>Carter Paterson and Pickfords Carriers, Ltd. v. Wessel</i> . . . . . 111  <i>Casey v. Casey</i> . . . . . 457  <i>Christie v. Leachinsky</i> . . . . . 122  <i>Coats' Trust, Re</i> . . . . . 104  <i>Collins v. Hertfordshire C.C.</i> . . . . . 124  <i>Comptoir d'Achat, etc. v. Luis de Ridder</i> . . . . . 107, 264  <i>Crate v. Miller</i> . . . . . 114  <i>Curtis v. Wilcox</i> . . . . . 271  <i>Cutler v. Wandsworth Stadium</i> . . . . . 120</p> <p><i>Davies v. Swan Motor Co., Ltd.</i> . . . . . 469  <i>Dennant v. Skinner</i> . . . . . 266  <i>De Reneville v. De Reneville</i> . . . . . 263  <i>Diplock, Re</i> . . . . . 116, 260</p> <p><i>Edler v. Auerbach</i> . . . . . 461</p> <p><i>Frankman v. Prague Credit Bank</i> . . . . . 262</p> <p><i>Gallagher v. Shilcock</i> . . . . . 463  <i>Grant v. Sun Shipping Co., Ltd.</i> . . . . . 273</p> <p><i>Hamps v. Darby</i> . . . . . 270  <i>Hawkins v. Price</i> . . . . . 109  <i>Hibbert v. McKiernan</i> . . . . . 267  <i>Hill v. William Hill, Ltd.</i> . . . . . 460  <i>Horton v. London Graving Dock Co., Ltd.</i> . . . . . 471  <i>Hutton v. Watling</i> . . . . . 119</p>	<p><i>Kahler v. Midland Bank</i> . . . . . 262, 456  <i>Krajina v. Tass Agency</i> . . . . . 467</p> <p><i>Longhurst v. Metropolitan Water Board</i> . . . . . 275</p> <p><i>Miller's Agreement, Re</i> . . . . . 110</p> <p><i>Naim Molvan v. Att.-Gen. for Palestine</i> . . . . . 268  <i>National Anti-Vivisection Soc. v. I.R.C.</i> . . . . . 104</p> <p><i>Oliver v. Davis</i> . . . . . 459</p> <p><i>Pearson v. Coleman Brothers</i> . . . . . 277  <i>Philco Radio, Ltd. v. J. Spurling, Ltd.</i> . . . . . 470</p> <p><i>R. v. Matthews</i> . . . . . 465  <i>— v. Stcane</i> . . . . . 113  <i>Robertson v. Minister of Pensions</i> . . . . . 458  <i>Routh v. Jones</i> . . . . . 108</p> <p><i>Solle v. Butcher</i> . . . . . 462  <i>Sorrell v. Paget</i> . . . . . 468  <i>Sutton v. Bootle Corporation</i> . . . . . 121</p> <p><i>Thorpe v. Fasey</i> . . . . . 464</p> <p><i>Warren v. Henlys, Ltd.</i> . . . . . 272  <i>Wellington, Re, Duke of</i> . . . . . 106  <i>Wellsted's Will Trusts, Re</i> . . . . . 279  <i>Wingham, Re</i> . . . . . 281  <i>Winter Garden Theatre v. Milenium Productions</i> . . . . . 115  <i>Wright v. Dean</i> . . . . . 269</p> <p><i>Young v. Sealey</i> . . . . . 474</p> <p><i>Zinovstenska Banka v. Frankman</i> . . . . . 456</p>
---	--