

THE
CAMBRIDGE LAW
JOURNAL

EDITED BY

P. H. WINFIELD, K.C., LL.D., F.B.A.
Emeritus Rouse Ball Professor of English Law

FOR

THE CAMBRIDGE UNIVERSITY LAW SOCIETY.

VOL. 8

LONDON - 1944

STEVENS & SONS, LIMITED
119 & 120 CHANCERY LANE
Law Publishers

PRINTED IN GREAT BRITAIN BY
C. F. ROWORTH, LTD., 88 FETTER LANE, LONDON, E.C. 4.

INDEX TO VOL. 8

LEADING ARTICLES

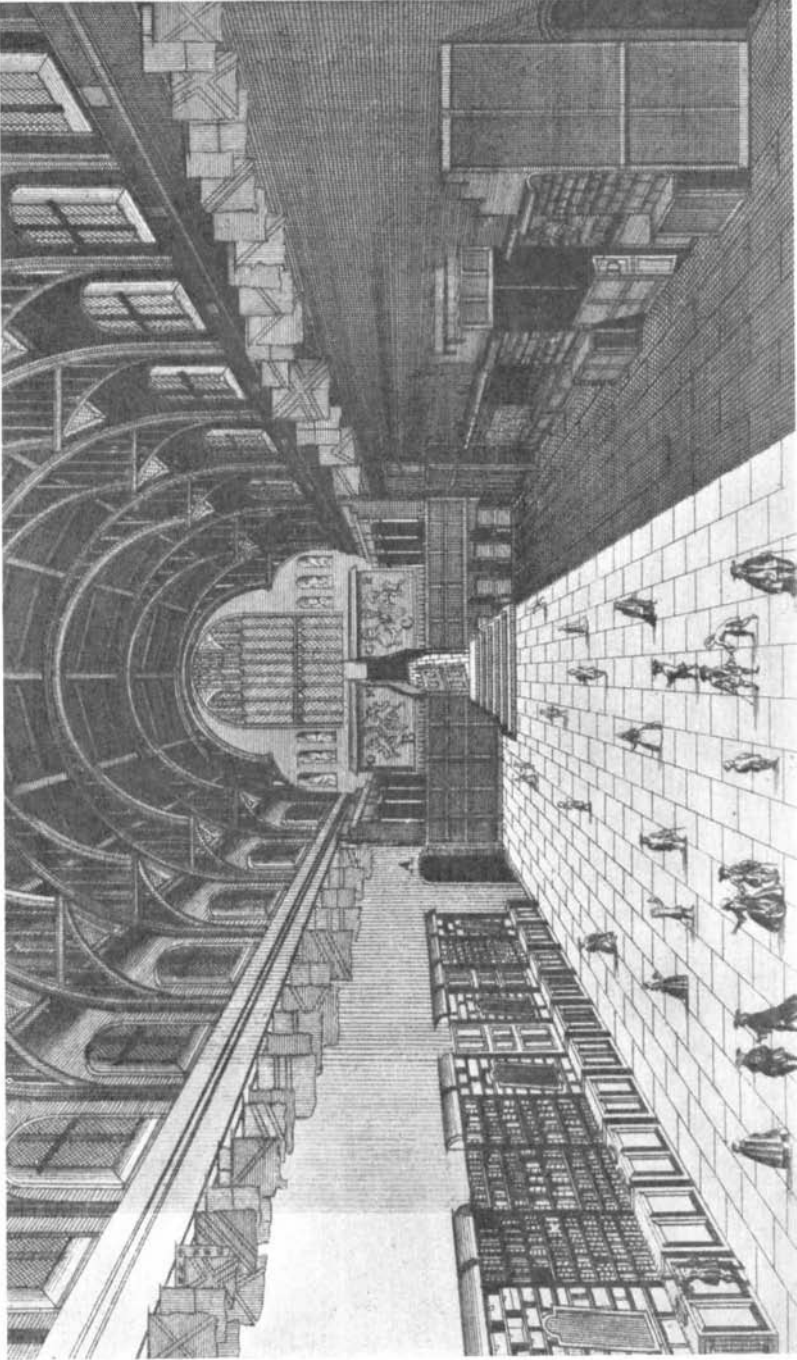
	PAGE
<i>Bourhill v. Young</i> (Prof. A. L. GOODHART)	265
British North America Act, The Interpretation of (Prof. W. P. M. KENNEDY)	146
Contracts, Legal Aspects of Illegal (Dr. G. L. WILLIAMS)	51
Contractual Obligation, Nature of (Prof. W. W. BUCKLAND)	247
Courts, From the Old Law Courts to the New (F. W. MAITLAND)	2
Criminal Legislation, Sources of Modern (Dr. L. RADZINOWICZ)	180
Criminal Science, Department of (J. W. C. TURNER)	92
Esau, How Esau sold his Birthright (Dr. D. DAUBE)	70
Free Speech, Reflections on Prof. Chafee's "Free Speech in the United States" (Dr. D. W. LOGAN)	201
<i>Jorrocks</i> , Law and Lawyers of (Prof. H. C. GUTTERIDGE)	161
Lunacy Administration, One Hundred Years of (T. C. S. KEELY)	195
<i>McNaghten Rules</i> , Century of (H. BARNES [HÉNRI O'BEIRN])	300
Precedent (Right Hon. Lord WRIGHT)	118
Torts, Introduction to the Law of (Dr. C. A. WRIGHT)	238
Trusts and Titles (S. J. BAILEY)	36
Unborn Child, The (Prof. P. H. WINFIELD)	76
Warranties of Land in the Thirteenth Century (S. J. BAILEY)	274
Writs and Bills (Prof. H. A. HOLLOND)	15
Writs and Bills, New Light on, in Twelfth and Thirteenth Centuries (Prof. H. A. HOLLOND)	252

CONTRIBUTORS OF LEADING ARTICLES

BAILEY, S. J.—Trusts and Titles	36
— Warranties of Land in the Thirteenth Century	274
BARNES, H. (H. O'BEIRN).—A Century of the <i>McNaghten Rules</i>	300
BUCKLAND, Prof. W. W.—The Nature of Contractual Obligation	247
DAUBE, Dr. D.—How Esau Sold his Birthright	70
GOODHART, Prof. A. L.— <i>Bourhill v. Young</i>	265
GUTTERIDGE, Prof. H. C.—Law and Lawyers of <i>Jorrocks</i>	161
HOLLOND, Prof. H. A.—New Light on Writs and Bills and on the Influence of Roman Law in the Twelfth and Thirteenth Centuries	252
— Writs and Bills	15
KEELY, T. C. S.—One Hundred Years of Lunacy Administration	195
KENNEDY, Prof. W. P. M.—The Interpretation of the British North America Act	146
LOGAN, Dr. D. W.—Reflections on Prof. Chafee's "Free Speech in the United States"	201
MAITLAND, F. W.—From the Old Law Courts to the New	2
O'BEIRN. (See "BARNES.")	
RADZINOWICZ, Dr. L.—Some Sources of Modern Criminal Legislation	180
TURNER, J. W. C.—Department of Criminal Science	92
WILLIAMS, Dr. GLANVILLE L.—Legal Aspects of Illegal Contracts	51
WINFIELD, Prof. P. H.—The Unborn Child	76
WRIGHT, The Right Hon. Lord.—Precedent	118
WRIGHT, Dr. CECIL A.—Introduction to the Law of Torts	238

CASES ANNOTATED

	PAGE		PAGE
Akerele <i>v.</i> R.	323	Holt <i>v.</i> Heatherfield Trust, Ltd. <i>v.</i> ...	210
Amand (No. 2), <i>Re</i>	205	Hughes <i>v.</i> Williams	328
		Hunter's Lease, <i>Re</i>	99
Barnard <i>v.</i> Gorman	103	Jaber Elias Kotia <i>v.</i> Katr Bint Jiryas	
Batts Coombe Quarry, Ltd. <i>v.</i> Ford...	207	Nahas	94
Bishop & Baxter, Ltd. <i>v.</i> Anglo-			
Eastern, &c. Co., Ltd.	325	Leighton's Investment Trust, Ltd. <i>v.</i>	
Bontex Knitting Works, Ltd. <i>v.</i> St.		Cricklewood, &c. Trust	327
John's Garage	324	Lindop, <i>Re</i>	215
Bourhill <i>v.</i> Young	213, 265	Liversidge <i>v.</i> Anderson	95
Brackenborough <i>v.</i> Spalding U.D.C. ...	100	Luxor (Eastbourne), Ltd. <i>v.</i> Cooper ...	96
Buckner <i>v.</i> Ashby & Horner, Ltd. ...	105	Lyon <i>v.</i> Daily Telegraph, Ltd.	329
		Lyons & Co., Ltd. <i>v.</i> Knowles	326
Canadian Pacific Ry. <i>v.</i> Lockhart ...	211	Lysus <i>v.</i> Stepney B.C.	106
Century Insurance Co., Ltd. <i>v.</i>			
Northern Ireland T.B.	212	Mancini <i>v.</i> D.P.P.	98
Crofter Hand Woven Harris Tweed		Mattouk <i>v.</i> Massad	333
Co., Ltd. <i>v.</i> Veitch	101	Murray <i>v.</i> Parkes	206
De Buse <i>v.</i> McCarty, &c.	103	Peters <i>v.</i> Prince of Wales Theatre, Ltd. 214	
Diamond <i>v.</i> Minter	104		
Duncan <i>v.</i> Cammell, Laird & Co., Ltd. 328		R. <i>v.</i> A.B.	98
		— <i>v.</i> Agard	209
Fibrosa Spolka Akcyjna <i>v.</i> Fairbairn,		— <i>v.</i> Barker	97
&c., Ltd.	208	— <i>v.</i> Hudson	323
		— <i>v.</i> Shaw	209
Glasgow Corporation <i>v.</i> Muir	331	Ricketts <i>v.</i> Erith B.C.	332
Gold <i>v.</i> Essex C.C.	212		
		Samuels <i>v.</i> Davis	326
Haseldine <i>v.</i> Daw & Son, Ltd.	102	Speed <i>v.</i> Thomas Swift & Co.	330
Hay (<i>or</i> Bourhill) <i>v.</i> Young	213, 265	Spottiswoode, Ballantyne & Co., Ltd.	
Heyman <i>v.</i> Darwins, Ltd.	206	<i>v.</i> Doreen Appliances, Ltd.	208
Hoani Te Heuheu Tukino <i>v.</i> Aotea			
District, &c. Board	96	Ware <i>v.</i> Garston Haulage Co., Ltd. ...	332
Holdman <i>v.</i> Hamlyn	330		



*A : Entrance to House of Commons B : The King's Bench
C : Court of Chancery D : Court of Common Pleas
E : Entrance to Exchequer*

Westminster Hall

*Reproduced by the courtesy of
Messrs. John Murray, 50, Abchurch Lane, W. 1.*