

**THE CAMBRIDGE LAW JOURNAL**  
**VOLUME 9**

THE  
**CAMBRIDGE LAW**  
**JOURNAL**

EDITED BY

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

VOLUME 9

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

LONDON

STEVENS & SONS LIMITED

1947

*Published by Stevens & Sons  
Limited of 11 New Fetter Lane  
London, Great Britain – Law  
Publishers – and reprinted in  
1962 by photolithography in The  
Netherlands by Krips/Oosthoek  
of Rijswijk, Utrecht and London*

*Printed in The Netherlands*

## LEADING ARTICLES

'ALICE,' A LAWYER'S	( <i>Dr. G. L. Williams</i> )	171
ALLEGIANCE, DIPLOMATIC PROTECTION AND CRIMINAL JURISDICTION OVER ALIENS	( <i>Prof. H. Lauterpacht</i> )	330
ANNUAL SURVEY OF AMERICAN LAW	( <i>Prof. P. H. Winfield</i> )	366
ATKIN OF ABERDOVEY, LORD	( <i>Prof. H. C. Gutteridge</i> )	44
CENTRAL OFFICE OF THE SUPREME COURT	( <i>W. Valentine Ball</i> )	107
CHANCELLORS, SOME EARLY	( <i>Prof. H. A. Hollond</i> )	17
CRIME, LIABILITY FOR	( <i>Henry Barnes</i> )	210
ENGLISH LEGAL AUTHORS BEFORE 1700	( <i>Prof. H. A. Hollond</i> )	292
LEGAL EDUCATION, THE AIM OF	( <i>Prof. E. C. S. Wade</i> )	286
LIBERTY AND THE COMMON LAW	( <i>Lord Wright</i> )	2
MURDER AND ARSON, MOOT CASE ON	( <i>Dr. R. M. Jackson</i> )	154
PRECEDENTS IN THE COURT OF APPEAL	( <i>Prof. A. L. Goodhart</i> )	349
RESTORATION OF FRUITS BY THE <i>Bona Fide</i> POSSESSOR	( <i>Dr. D. Daube</i> )	31
"TO A AND HIS ISSUE"	( <i>R. E. Megarry</i> )	46
—	( <i>S. J. Bailey</i> )	185
—	( <i>J. H. C. Morris</i> )	190
USUSFRUCTUS, NATURE OF	( <i>K. Kagan</i> )	159
WALTHAM BLACK ACT	( <i>Dr. L. Radzinowicz</i> )	56
WARRANTIES OF LAND IN THE THIRTEENTH CENTURY ( <i>continued</i> )	( <i>S. J. Bailey</i> )	82
WARRANTIES OF LAND IN THE REIGN OF RICHARD II.	( <i>S. J. Bailey</i> )	192

## CONTRIBUTORS OF LEADING ARTICLES

<b>BAILEY, S. J.</b> —Warranties of Land in the Thirteenth Century	82
“ <i>To A and his issue</i> ”	185
Warranties of Land in the Reign of Richard II.	192
<b>BALL, W. VALENTINE.</b> —Central Office of the Supreme Court	107
<b>BARNES, H.</b> —Liability for Crime	210
<b>DAUBE, DR. D.</b> —Restoration of Fruits by the <i>Bona Fide</i> possessor	31
<b>GOODHART, Prof. A. L.</b> —Precedents in the Court of Appeal	349
<b>GUTTERIDGE, Prof. H. C.</b> —Lord Atkin of Aberdovey	44
<b>HOLLOND, Prof. H. A.</b> —Some Early Chancellors	17
English Legal Authors before 1700	292
<b>JACKSON, DR. R. M.</b> —Moot case on Murder and Arson	154
<b>KAGAN, K.</b> —Nature of Ususfructus	159
<b>LAUTERPACHT, Prof. H.</b> —Allegiance, Diplomatic Protection and Criminal Jurisdiction over Aliens	330
<b>MEGARRY, R. E.</b> —‘ <i>To A and his issue</i> ’	46
<b>MORRIS, J. H. C.</b> —‘ <i>To A and his issue</i> ’	190
<b>RADZINOWICZ, DR. L.</b> —The Waltham Black Act	56
<b>WADE, Prof. E. C. S.</b> —The Aim of Legal Education	286
<b>WILLIAMS, DR. G. L.</b> —A Lawyer’s ‘Alice’	171
<b>WINFIELD, Prof. P. H.</b> —Annual Survey of American Law	366
<b>WRIGHT, THE RIGHT HON. LORD.</b> —Liberty and the Common Law	2

## CASES ANNOTATED

Adams v. Naylor . . . . .	124	Lace v. Chantler . . . . .	121
Andrews v. Home Flats, Ltd. . . . .	245	Leachinsky v. Christie . . . . .	249
		Lewin v. American & Colonial Distributors, Ltd. . . . .	245
Baindail v. Baindail . . . . .	374		
Bean, In the estate of . . . . .	126		
Bowater v. Rowley Regis Corporation . . . . .	124	McCarrick v. Liverpool Corporation . . . . .	379
Brend v. Wood . . . . .	376	Maitland v. Raisbeck . . . . .	125
Brewster v. Drennan . . . . .	246	Marsh v. Commissioner of Police . . . . .	122
		Mersey Docks & Harbour Board v. Coggin's & Griffiths, Ltd. . . . .	382
Colfar v. Coggins & Griffith (Liverpool), Ltd. . . . .	249		
Constantine v. Imperial Hotels, Ltd . . . . .	123	Northchurch Estates, Ltd. v. Daniels . . . . .	379
Cooper v. National Provincial Bank, Ltd. . . . .	241		
Coutte v. Browne-Lecky . . . . .	376	Phillips v. Butler . . . . .	243
D. & L. Caterers, Ltd. v. D'Ajou . . . . .	247	R. v. Croft . . . . .	120
Delaney v. T. P. Smith, Ltd . . . . .	384	R. v. I. C. R. Haulage, Ltd. . . . .	120
		R. v. Jarman . . . . .	243
Easson v. L. & N. E. Ry Co. . . . .	126	R. v. Turvey . . . . .	377
		Read v. Lyons & Co., Ltd. . . . .	380
Hannah v. Peel . . . . .	247	Royster v. Cavey . . . . .	381
Hickman v. Peacey . . . . .	240		
Holmes v. D.P.P. . . . .	378	Schering, Ltd. v. Stockholms Enskilda Bank . . . . .	119, 242
Hopwood v. Muirson . . . . .	248	Searle v. Wallbank . . . . .	381
Hornby, In the goods of . . . . .	384	Shayler v. Woolf . . . . .	375
Hutter v. Hutter . . . . .	118	Srini Vasan v. Srini Vasan . . . . .	240
		Szalatnay-Stacho v. Fink . . . . .	375
Jewelowski v. Propp . . . . .	119		
Joyce v. D. P. P. . . . .	244	Tolten, The . . . . .	373
Knupffer v. London Express Newspaper, Ltd . . . . .	122	Wolfenden v. Wolfenden . . . . .	373
		Woods v. Duncan . . . . .	383