

**REPORTS IN CHAMBERS,
QUEEN'S BENCH DIVISION,
FROM OCTOBER, 1883, TO
APRIL, 1884**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649691951

Reports in Chambers, Queen's Bench Division, from October, 1883, to April, 1884 by Adam H. Bittleston

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

ADAM H. BITTLESTON

**REPORTS IN CHAMBERS,
QUEEN'S BENCH DIVISION,
FROM OCTOBER, 1883, TO
APRIL, 1884**

**REPORTS IN CHAMBERS,
QUEEN'S BENCH DIVISION,**

FROM

OCTOBER, 1883, TO APRIL, 1884.

ARRANGED ALPHABETICALLY,
ACCORDING TO THE SUBJECT-MATTER OF THE SEVERAL CASES,
UNDER THE RULES OF COURT RESPECTIVELY APPLICABLE,
AND WITH NOTES OF OTHER RECENT DECISIONS.

BY

ADAM H. BITTLESTON,
OF THE INNER TEMPLE, BARRISTER-AT-LAW

LONDON:
WILLIAM CLOWES, AND SONS, LIMITED,
27, FLEET STREET.
1884.

PREFACE.

THE Rules of the Supreme Court, 1883, came into operation on the 24th of October, 1883. Mr. Justice Field, at the request of the Lord Chancellor, sat at Chambers for the purpose of settling the practice under those Rules from that date to the 9th of April, 1884, with the exception of the Christmas Vacation, and the time during which he was absent on Circuit. Mr. Justice Mathew was the Judge at Chambers while Mr. Justice Field was on Circuit, and Mr. Justice Butt and Mr. Justice Pearson were the Vacation Judges. The cases reported in this volume were decided during the above-mentioned period. The whole of them have already appeared in the *Weekly Notes*, the *Law Times Journal*, and the *Solicitors' Journal*; the greater part of them have also appeared in the *Law Journal*. A few cases, which have appeared among the Reports in Chambers in the above publications, have been since overruled, and are, therefore, now omitted. All the decisions were revised in proof by the learned Judges, by whose permission they are reported, and to whom, as well as to the counsel and solicitors engaged in the several cases, the reporter begs to tender his grateful acknowledgment of valuable assistance rendered.

A. H. B.

TEMPLE, July, 1884.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text notes that without clear records, it becomes difficult to track expenses, revenues, and other critical data points.

2. The second section addresses the challenges associated with data collection and analysis. It highlights that while modern technology offers powerful tools for data processing, the sheer volume and complexity of information can be overwhelming. The document suggests that organizations should invest in training and resources to effectively manage and interpret their data, ensuring that insights are derived accurately and used to inform decision-making.

3. The third part of the document focuses on the role of communication in organizational success. It argues that clear and consistent communication is vital for aligning team members, sharing information, and resolving conflicts. The text encourages the use of various communication channels, including face-to-face meetings, email, and digital collaboration tools, to ensure that all stakeholders are kept informed and engaged.

4. The final section discusses the importance of continuous learning and improvement. It states that in a rapidly changing environment, organizations must stay current with the latest trends and technologies. This involves fostering a culture of learning, where employees are encouraged to seek out new knowledge and skills. The document also mentions the value of regular feedback loops and performance reviews in identifying areas for growth and implementing necessary changes.

TABLE OF CASES.

	PAGE		PAGE
A.			
A. v. B.	17	Campbell and Others v. Lord Poulett and Ora.	87
Attenborough & Son v. London, &c., Telephone Co., Lim.	109	Cass v. Fitzgerald	178
B.			
Banque des Travaux Publiques, &c., v. Wallis	52	Central News Co. Lim. v. Eastern Telegraph Co. and Others	179
Bates v. Burchell; Carter, third party	239	Churton v. Wilkin and Others	134
Bell v. Earl of Kilmorey and Others	152	Clifford and Another v. Budds and Another	124
Bell & Co. v. Von Dadelzen	229	Compagnie, &c., du Pacifique v. Guano Co.	81
Bond v. Freke	188	Cooper v. Moon	12
Borough and Another v. James; Hickman, third party	234	Copley v. Jackson & Co..	42
Brocklehurst v. The Railway Printing and Publishing Co. Lim.; Eldridge and Pearson, claimants	117	(No. 2) 165	
Burns v. Walford	208	Corbett and Others v. Lewin and Another	103
Burr v. Hubbard	83	Cowley (Applicant) v. Tyler (Respondent); Re A Bill of Sale	189
Bye v. Kirby	87	Crawford v. Chorley	4
C.			
C. v. D.	114	Croft v. Collingwood	8
Caister v. Chapman; Holmes, third party	232	Crompton & Co. v. Bennett & Co..	152
D.			
		Crosland v. Routledge and Another	150
		D.	
		Danger v. Nelson	15
		Daubuz and Others v. Lavington	211
		Davies & Son v. Stevens	41
		Davis & Son v. Andrews	102

	PAGE		PAGE
Davy and Another v. Price	182	Henderson v. Ripley and Others	84
Delaroque v. S. S. Oxenholme & Co.	44	Hobson v. Monk and Another	161
De Leon v. Hubbard and Others	10	Hopton v. Robertson	203
De St. Martin v. Davis & Co.	53	Hunt v. Clifford	136
Duff v. Valentine; Fenner, Claimant	115	Hutchison v. Colorado United Mining Co.	225
		J.	
E.		J. v. K.	185
E. v. F.	153	Jablochkoff Electric Light Co. v. McMurdo; Whitehall, third party.	227
Egerton v. Anderson	163	Jacobs v. The Great Western Railway Co.	77
Ellis v. Wilkin and Others	134	Jacobs, Hart, & Co. v. Brown and Others	230
Evans v. Edwards	32	Jiminez & Sons v. Owen	201
Eyre v. Moreing	146	Jones v. Arthur Elderton; Anna Elizabeth Elderton, third party	235
F.		Jones v. Jones and Another	89
Finlay & Co. v. Scott & Son	222	Jones v. London Road Car Co.	71
Flower v. Todd and Another	240	Jubb v. Bibbs & Hill	88
G.		L.	
G. v. H.	160	Land Corporation of Canada v. Puleston and Another	176
Gath v. Howarth	29	Law & Lindsay v. Budd and Another	85
Gee v. Johnson	37	Lightowler v. Lightowler.	199
Gloucestershire Banking Co. v. Phillip and Another (Executors); Creagh, third party	236	Lucy v. Wood	24
Guéret and Another v. Young	51	M.	
H.		Macdonald v. Antelme Patterson & Co.	60
Hall v. Liardet (Nos. 1 and 2)	65, 67	Mack v. Ward; Oldham, Garnishee	23
Harris v. Jewell and Another	100	Mansergh and Wife v. Rimell	210
Heard and Another v. Borgwardt	144		
Hellier v. Ellis	72		

TABLE OF CASES.

vii

	PAGE		PAGE
McIlroy v. Duncan and Others	74	S.	
Mayor, &c., of Rotherham v. Peace	14	Searle & Co. v. Mathews; Fox & Co., Claimants	113
Mendelssohn v. Hoppe	41	Seligmann and Others v. Young	154
Millard v. Baddeley and Others	125	Shillito and Another v. Child & Co.	219
Moore v. Mulligan	127	Smith v. British Marine Mutual Insurance Association	158, 215
Morgan v. Greatrex	63	— and Another v. Bell and Others	92
Munday v. Figott	131	— v. Hurley	56
O.		— v. Reed and Others	87
O'Meara v. Stone and Another	73	— v. Sheppard	37
Oppenheimer & Co. v. Davenport & Co.	35	Spartali & Co. v. Van Hoorn and Another	216
P.		Staffordshire Joint Stock Bank, Limited v. Weaver	243
Padgett v. Binns	6	T.	
Palmer and Another v. Gould's Manufacturing Co.	194	Tattersall v. The National Steamship Co., Lim.	207
Parry v. Wilkin and Others	134	V.	
Parsons and Another (Trustees) v. Burton	169	Van Boolen v. Gordon	37
Perks v. Mylrea	128	Van der Kau & Deitzsman v. Ashworth & Co.; Regulat-ur Fabrik Germania, Claimants	202
Picasso v. Trustees of Maryport Harbour	47	W.	
Pickard v. Great Northern Railway Co.	246	Wagstaff and Another v. Jacobowitz	123
Pyman v. Burt, Boulton, and Another	97	Walker v. Crabtree	93
R.		Webster v. Manchester, Sheffield, and Lincolnshire Ry. Co.	172
Reg. on the prosecution of the Local Government Board v. Cheshunt Local Board	139	Westerman v. Rees; Jones, Claimant	112
Robinson and Others v. Budgett & Co.	79		
Rooney v. Whiteley	20		
Ross v. Ashwin and Another	49		

	PAGE		PAGE
White v. Land and Water Co.	193	Wood v. Goodwin	167
Whiting v. The East London Waterworks Co.	156	Y.	
		York v. Stowers	2

The following cases are not inserted, having been overruled:—

- Hobson v. Monk and Another (No. 2), W. N. 1884, p. 17; L. J. 1884, p. 73; L. T. J. 1884, p. 226; S. J. 1884, p. 235.
- Langley v. Sugden, W. N. 1883, p. 198; L. J. 1883, p. 651; L. T. J. 1883, p. 77; S. J. 1883, p. 86.
- Tarn and Another v. Commercial Banking Company of Sydney, W. N. 1884, p. 57; L. J. 1884, p. 153; L. T. J. 1884, p. 317; S. J. 1884, p. 325.

Speckhart v. Campbell, Achnach & Co., p. 196 of these Reports, has also been overruled. See Note, p. 248.