

1935.

THE

# COMMONWEALTH LAW REPORTS

CASES DETERMINED IN THE

## HIGH COURT OF AUSTRALIA.

EDITOR :

E. F. HEALY, LL.M., *Barrister-at-Law.*

ASSISTANT EDITOR :

H. HEADEN CUTHBERT, LL.B., *Barrister-at-Law.*

REPORTERS :

New South Wales . JOSEPH BALES, LL.B., *Barrister-at-Law.*  
Victoria . . . . H. DALLAS WISEMAN, LL.M., *Barrister-at-Law.*  
South Australia . . C. C. BREBNER, LL.B., *Barrister-at-Law.*  
Tasmania . . . . R. C. WRIGHT, B.A., LL.B., *Barrister-at-Law.*  
Queensland . . . . B. J. JEFFRIESS, *Barrister-at-Law.*  
Western Australia

### VOL. 53.

1935—25 & 26 GEO. V.

Australia

THE LAW BOOK CO. OF AUSTRALASIA LTD.

SYDNEY  
140 Phillip Street.

MELBOURNE  
425 Chancery Lane.

BRISBANE  
The Law Book Co. of Australasia Pty. Ltd.  
21 Adelaide Street.



JUSTICES OF THE HIGH COURT  
OF AUSTRALIA

DURING THE CURRENCY OF THIS VOLUME.

---

---

THE RIGHT HONOURABLE SIR FRANK GAVAN DUFFY, P.C.,  
K.C.M.G., CHIEF JUSTICE.

THE RIGHT HONOURABLE SIR JOHN GREIG LATHAM, P.C., G.C.M.G.,  
CHIEF JUSTICE.

THE HONOURABLE SIR GEORGE EDWARD RICH, K.C.M.G.

THE HONOURABLE HAYDEN ERSKINE STARKE.

THE HONOURABLE OWEN DIXON.

THE HONOURABLE HERBERT VERE EVATT.

THE HONOURABLE EDWARD ALOYSIUS McTIERNAN.

---

ATTORNEY-GENERAL :

THE HONOURABLE ROBERT GORDON MENZIES, K.C.; M.P.

## MEMORANDA.

---

1935.

*October 1.*—Resignation of THE RIGHT HONOURABLE SIR FRANK GAVAN DUFFY, P.C., K.C.M.G., of the office of Chief Justice of the High Court of Australia, accepted.

*October 11.*—Appointment of THE RIGHT HONOURABLE SIR JOHN GREIG LATHAM, P.C., G.C.M.G., K.C., to the office of Chief Justice of the High Court of Australia.

THE mode of citation of this volume of the COMMONWEALTH LAW REPORTS will be as follows :—

53 C.L.R.

---

A TABLE  
OF THE  
NAMES OF THE CASES REPORTED  
IN THIS VOLUME.

---

A	PAGE		PAGE
Adams v. Cleeve - - -	185	Australian Timber Workers' Union v. Sydney and Suburban Timber Merchants' Association - - -	665
—, R. v. - - -	563	Australian Tramway Employees Association v. Commissioner for Road Transport and Tramways (N.S.W.) - - -	90
Amalgamated Engineering Union v. Metal Trades Employers' Association - - -	658	B	
Arcadia Stores, Guyra, Ltd., Pearson v. [No. 1] - - -	571	Berliner, <i>Ex parte</i> ; R. v. Collector of Customs (Vict.) - -	322
—, — v. [No. 2] - - -	587	Booth v. Booth - - -	1
Australasian Scale Co. Ltd. v. Commissioner of Taxes (Q.) -	534	Brain, Commonwealth Life Assurance Society Ltd. v. - -	343
Australian Provincial Assurance Association Ltd., Southern Cross Assurance Co. Ltd. v. -	618	Butcher, Federal Commissioner of Taxation v. - - -	82
Australian Railways Union, Victorian Railways Commissioners v. - - - - -	113	Butler, Commissioner for Road Transport and Tramways (N.S.W.) v. - - - -	33

C	PAGE	PAGE	
Campbell, Sumner <i>v.</i> -	196	Commonwealth Life Assurance Society Ltd. <i>v.</i> Brain -	343
Cavanough, Commissioner for Railways (N.S.W.) <i>v.</i> -	220	Comptroller-General of Customs, R. <i>v.</i> ; <i>Ex parte</i> Woolworths Ltd. - - - -	308
Chubbs Australian Co. Ltd., Long <i>v.</i> - - - -	143	Comptroller of Stamps (Vict.), Fairbairn <i>v.</i> - - - -	463
Cleeve, Adams <i>v.</i> - - - -	185	Corporation of the Trustees of the Order of the Sisters of Mercy in Queensland, Southport Corporation <i>v.</i> - - -	296
Collector of Customs (Vict.), R. <i>v.</i> ; <i>Ex parte</i> Berliner - -	322	D	
Commissioner for Railways (N.S.W.) <i>v.</i> Cavanough -	220	Dobbs <i>v.</i> National Bank of Australasia Ltd. - - - -	643
—, Grady <i>v.</i> - - - -	229	Dowerin Road Board, Fogarty <i>v.</i>	510
—, Jury <i>v.</i> - - - -	273	Dunbabin, R. <i>v.</i> ; <i>Ex parte</i> Williams - - - -	434
Commissioner for Road Transport and Tramways (N.S.W.), Australian Tramway Employees Association <i>v.</i> - - -	90	Duncan <i>v.</i> Vizzard - - - -	493
— <i>v.</i> Butler - - - -	33	E	
Commissioner of Taxation (Federal) <i>v.</i> Butcher - - - -	82	Ervin <i>v.</i> Federal Commissioner of Taxation - - - -	235
— (Federal), Ervin <i>v.</i> - - - -	235	F	
— (Federal), Jolly <i>v.</i> - - - -	206	Fairbairn <i>v.</i> Comptroller of Stamps (Vict.) - - - -	463
— (Federal) <i>v.</i> Riley - - - -	69	Falk <i>v.</i> Haugh - - - -	163
— (Federal), Union Trustee Co. of Australia Ltd. <i>v.</i> -	263	Federal Commissioner of Taxation — <i>See</i> Commissioner of Taxation.	
— (W.A.), Forwood Down & Co. Ltd. <i>v.</i> - - - -	403	Fogarty <i>v.</i> Dowerin Road Board	510
Commissioner of Taxes (Q.), Australasian Scale Co. Ltd. <i>v.</i>	534	Forwood Down & Co. Ltd. <i>v.</i> Commissioner of Taxation (W.A.) - - - -	403
Commonwealth Court of Conciliation and Arbitration and Australian Railways Union, R. <i>v.</i> ; <i>Ex parte</i> Victorian Railways Commissioners -	113		

G	PAGE		PAGE
Geddes, Harbon <i>v.</i> - - -	33	Metal Trades Employers' Association, Amalgamated Engineering Union <i>v.</i> - - -	658
General Electric Co. Ltd., Marriott <i>v.</i> - - -	409		
Grady <i>v.</i> Commissioner for Railways (N.S.W.) - - -	229	N	
Green Star Trading Co. Pty. Ltd. <i>v.</i> Vizzard - - -	493	National Bank of Australasia Ltd., Dobbs <i>v.</i> - - -	643
		Nette <i>v.</i> Howarth - - -	55
H		O	
Harbon <i>v.</i> Geddes - - -	33	Ogston <i>v.</i> Ogston - - -	526
Haskins, Tate <i>v.</i> - - -	594		
Haugh, Falk <i>v.</i> - - -	163	P	
Horton <i>v.</i> Jones - - -	475	Pearson <i>v.</i> Arcadia Stores, Guyra, Ltd. [No. 1] - - -	571
Howarth, Nette <i>v.</i> - - -	55	— <i>v.</i> — [No. 2] - - -	587
J		Perrett, Stevens <i>v.</i> - - -	449
Jolly <i>v.</i> Federal Commissioner of Taxation - - -	206	Primary Producers' Bank of Australia Ltd. (in voluntary liquidation), Leeper <i>v.</i> - - -	250
Jones, Horton <i>v.</i> - - -	475		
Jury <i>v.</i> Commissioner for Railways (N.S.W.) - - -	273	R	
K		R. <i>v.</i> Adams - - -	563
Keenan, Lawrence <i>v.</i> - - -	153	— <i>v.</i> Collector of Customs (Vict.); <i>Ex parte</i> Berliner - - -	322
King, The— <i>See</i> R.		— <i>v.</i> Commonwealth Court of Conciliation and Arbitration and Australian Railways Union; <i>Ex parte</i> Victorian Railways Commissioners - - -	113
L		— <i>v.</i> Comptroller-General of Customs; <i>Ex parte</i> Woolworths Ltd. - - -	308
Lawrence <i>v.</i> Keenan - - -	153	— <i>v.</i> Dunbabin; <i>Ex parte</i> Williams - - -	434
Leeper <i>v.</i> Primary Producers' Bank of Australia Ltd. (in voluntary liquidation) - - -	250		
Long <i>v.</i> Chubbs Australian Co. Ltd. - - -	143		
M			
Marriott <i>v.</i> General Electric Co. Ltd. - - -	409		

	PAGE	U	PAGE
Riley, Federal Commissioner of Taxation <i>v.</i> - - - -	69	Union Trustee Co. of Australia Ltd. <i>v.</i> Federal Commissioner of Taxation - - - -	263
<b>S</b>			
Southern Cross Assurance Co. Ltd. <i>v.</i> Australian Provincial Assurance Association Ltd. -	618	<b>V</b>	
Southport Corporation <i>v.</i> Cor- poration of the Trustees of the Order of the Sisters of Mercy in Queensland - - - -	296	Victorian Railways Commission- ers, <i>Ex parte</i> ; R. <i>v.</i> Common- wealth Court of Conciliation and Arbitration and Austra- lian Railways Union - - -	113
Stevens <i>v.</i> Perrett - - - -	449	_____ <i>v.</i> Australian Railways Union - - - -	113
Sumner <i>v.</i> Campbell - - - -	196	Vizzard, Duncan and Green Star Trading Co. Pty. Ltd. <i>v.</i> -	493
<b>T</b>			
Sydney and Suburban Timber Merchants' Association, Aus- tralian Timber Workers' Union <i>v.</i> - - - - -	665	<b>W</b>	
Tate <i>v.</i> Haskins - - - -	594	Williams, <i>Ex parte</i> ; R. <i>v.</i> Dun- babin - - - - -	434
		Woolworths Ltd., <i>Ex parte</i> ; R. <i>v.</i> Comptroller-General of Cus- toms - - - - -	308

## TABLE OF CASES CITED.

A		PAGE
Abbott <i>v.</i> Minister for Lands . . . . .	(1895) A.C. 425 . . . . .	199
Abel <i>v.</i> Estler Bros. . . . .	12 B.W.C.C. 184 . . . . .	39
Abrath <i>v.</i> North Eastern Railway Co. . . . .	11 Q.B.D. 440; 11 App. Cas. 247 . . . . .	347
Adams <i>v.</i> Commissioners of Taxation . . . . .	10 C.L.R. 180 . . . . .	197
<i>v.</i> Rau . . . . .	46 C.L.R. 572 . . . . .	76
Ainslie Mining and Railway Co. <i>v.</i> McDougall . . . . .	42 Can. S.C.R. 420 . . . . .	281
Allen <i>v.</i> Harris . . . . .	1 Ld. Raym. 122; 91 E.R. 978 . . . . .	653
<i>v.</i> Milner . . . . .	2 Cr. & J. 47; 149 E.R. 20 . . . . .	653
Alleyne <i>v.</i> The Queen . . . . .	5 E. & B. 399; 119 E.R. 529 . . . . .	227
Amalgamated Clothing and Allied Trades Union of Australia <i>v.</i> D. E. Arnall & Sons; <i>In re</i> American Dry Cleaning Co. . . . .	43 C.L.R. 29 . . . . .	143
Amalgamated Engineering Union <i>v.</i> Alderdice Pty. Ltd.; <i>In re</i> Metropolitan Gas Co. . . . .	41 C.L.R. 402 . . . . .	143
Amalgamated Society of Engineers <i>v.</i> Adelaide Steamship Co. . . . .	15 C.A.R. 297 . . . . .	148
<i>v.</i> . . . . .	28 C.L.R. 129 . . . . .	466
American Dry Cleaning Co., <i>In re</i> ; Amalgamated Clothing and Allied Trades Union of Australia <i>v.</i> D. E. Arnall & Sons . . . . .	43 C.L.R. 29 . . . . .	143
Angell <i>v.</i> Duke . . . . .	L.R. 10 Q.B. 174 . . . . .	478
Anglo-French Co-operative Society Ltd., <i>Re</i> ; <i>Ex parte</i> Pelly [No. 2] . . . . .	50 L.T. 754 . . . . .	199
Armstrong <i>v.</i> South London Tramway Co. . . . .	6 T.L.R. 410; 7 T.L.R. 123 . . . . .	646
Ashworth <i>v.</i> Munn . . . . .	15 Ch. D. 363 . . . . .	487
Athenæum Life Assurance Society, <i>Re</i> ; <i>Ex parte</i> Prince of Wales Life Assurance Society . . . . .	Johns. 633; 70 E.R. 573 . . . . .	622
Athlumney, <i>In re</i> ; <i>Ex parte</i> Wilson . . . . .	(1898) 2 Q.B. 547 . . . . .	199
Attorney-General <i>v.</i> Comber . . . . .	2 Sim. & St. 93; 57 E.R. 281 . . . . .	268
<i>v.</i> Haberdashers' Co. . . . .	1 My. & K. 420; 39 E.R. 741 . . . . .	268
<i>v.</i> Sillem . . . . .	2 H. & C. 581; 159 E.R. 242; 10 H.L. Cas. 704; 11 E.R. 1200 . . . . .	225
<i>v.</i> Theobald . . . . .	24 Q.B.D. 557 . . . . .	198
<i>v.</i> Wilts United Dairies Ltd. . . . .	91 L.J. K.B. 897 . . . . .	330
Australasian Scale Co. Ltd. <i>v.</i> Commissioner of Taxes . . . . .	(1935) Q.S.R. 159 . . . . .	535
Australasian Temperance and General Mutual Life Assurance Society Ltd. <i>v.</i> Howe . . . . .	31 C.L.R. 290 . . . . .	541
Australian Insurance Staffs' Federation <i>v.</i> Atlas Assurance Co. . . . .	45 C.L.R. 409 . . . . .	93, 124

	PAGE
Australian Provincial Assurance Association Ltd. v. Producers and Citizens Co-operative Assurance Co. of Australia . . . . .	48 C.L.R. 341 . . . . . 621
Australian Railways Union v. Victorian Railways Commissioners . . . . .	44 C.L.R. 319 . . . . . 94, 115
Australian Widows' Fund Life Assurance Society Ltd. v. National Mutual Life Association of Australasia Ltd. . . . .	(1914) A.C. 634 . . . . . 621 14 C.L.R. 141 . . . . . 622
Australian Workers' Union v. Graziers' Association of New South Wales . . . . .	47 C.L.R. 22 . . . . . 94
Automobile and General Finance Co. v. Hoskins Investments Ltd. . . . .	34 S.R. (N.S.W.) 375; 51 W.N. (N.S.W.) 129 . . . . . 577
<b>B</b>	
Badeley v. Consolidated Bank Ltd. . . . .	38 Ch. D. 238 . . . . . 22
Baird, <i>Ex parte</i> ; R. v. Ellis . . . . .	28 N.B.R. 497 . . . . . 442
Baker v. Archer-Shee . . . . .	(1927) A.C. 844 . . . . . 479
— v. James Brothers & Sons Ltd. . . . .	(1921) 2 K.B. 674 . . . . . 282
Balbhadar Singh v. Badri Sah . . . . .	(1926) <i>The Times Weekly Edition</i> , p. 260; <i>The Times</i> , 17th March, p. 5 . . . . . 350, 379
Bamber and Cropper & Co.'s Application, <i>In re</i> . . . . .	41 R.P.C. 417 . . . . . 600
Bamundoss Mookerjee v. Omeish Chunder Raee . . . . .	6 Moo. Ind. App. 289; 19 E.R. 108 . . . . . 173
Banks, <i>Ex parte</i> ; <i>In re</i> Dowling . . . . .	4 Ch. D. 689 . . . . . 62
Barcelo v. Electrolytic Zinc Co. of Australasia . . . . .	48 C.L.R. 391 . . . . . 556
Barker v. Stoneham & Wilson Ltd. . . . .	22 S.R. (N.S.W.) 512; 39 W.N. (N.S.W.) 183 . . . . . 37
Barnado's Homes v. Special Income Tax Commissioners . . . . .	(1921) 2 A.C. 1 . . . . . 486
Barnett v. Sheffield . . . . .	1 DeG.M. & G. 371; 42 E.R. 595 . . . . . 267
Barracrough's Application, <i>In re</i> . . . . .	37 R.P.C. 105 . . . . . 602
Baume v. The Commonwealth . . . . .	4 C.L.R. 97 . . . . . 313
Baxter v. Ah Way . . . . .	10 C.L.R. 212 . . . . . 188
Beckley v. Scott & Co. . . . .	(1902) 2 I.R. 504 . . . . . 38
Bell v. Stewart . . . . .	28 C.L.R. 419 . . . . . 441
Benabo v. James . . . . .	109 L.T. Jo. 408 . . . . . 178
Bennett v. L. & W. Whitehead Ltd. . . . .	(1926) 2 K.B. 380 . . . . . 42
Bentham v. Hardy . . . . .	6 I.L.R. 179 . . . . . 480
Bentley v. Bates . . . . .	4 Y. & C. Ex. 182; 160 E.R. 971 . . . . . 20
Berliner, <i>Ex parte</i> ; R. v. Collector of Customs (Vict.) . . . . .	53 C.L.R. 322 . . . . . 320
Bessell v. Dayman . . . . .	52 C.L.R. 215 . . . . . 495
Betts, <i>In re</i> ; <i>Ex parte</i> Harrison . . . . .	18 Ch. D. 127 . . . . . 168
Birkenhead School Ltd. v. Dring . . . . .	11 Tax Cas. 273 . . . . . 299
Birmingham Brewing, Malting and Distilling Co., <i>In re</i> . . . . .	52 L.J. Ch. 358 . . . . . 647
Black v. MacKenzie . . . . .	(1917) N.Z.L.R. 729 . . . . . 348
Blake v. Bayne . . . . .	(1908) A.C. 371 . . . . . 481
— v. Mayor & c. of City of London . . . . .	19 Q.B.D. 79 . . . . . 299
Bligh v. Brent . . . . .	2 Y. & C. (Ex.) 268; 160 E.R. 397 . . . . . 479
Blockey v. Federal Commissioner of Taxation . . . . .	31 C.L.R. 503 . . . . . 405
Bodega Co., <i>In re</i> . . . . .	(1904) 1 Ch. 276 . . . . . 223
Boehm v. Bell . . . . .	8 T.R. 154; 101 E.R. 1318 . . . . . 623

		PAGE
Boot Case . . . . .	4 C.A.R. 1 . . . . .	148
Boots Cash Chemists (Southern) Ltd., <i>Ex parte</i> ; <i>R. v. Wood Green</i> Profiteering Committee . . . . .	89 L.J. K.B. 55 . . . . .	76
Boucas <i>v. Cooke</i> . . . . .	(1903) 2 K.B. 227 . . . . .	77
Bow, McLachlan & Co. <i>v. Slip</i> " Camosun " . . . . .	(1909) A.C. 597 . . . . .	649
Boyse <i>v. Simpson</i> . . . . .	8 I.C.L.R. 523 . . . . .	258
Bradlaugh <i>v. Clarke</i> . . . . .	8 App. Cas. 354 . . . . .	451
Bradley <i>v. Holdsworth</i> . . . . .	3 M. & W. 322; 150 E.R. 1210 . . . . .	479
Bradshaw <i>v. Waterlow &amp; Sons Ltd.</i> . . . . .	(1915) 3 K.B. 527 . . . . .	347
— <i>v. Widdrington</i> . . . . .	(1902) 2 Ch. 430 . . . . .	166
Brady, <i>Re</i> ; <i>Ex parte</i> Official Assignee Brain <i>v. Commonwealth Life Assur-</i> <i>ance Society Ltd.</i> . . . . .	19 L.R. (N.S.W.) B. & P. 6 . . . . .	155
	35 S.R. (N.S.W.) 36; 52 W.N. (N.S.W.) 7 . . . . .	344
Brassard <i>v. Smith</i> . . . . .	(1925) A.C. 371 . . . . .	241
Brassett <i>v. Stephens</i> . . . . .	10 G.L.R. (N.Z.) 88 . . . . .	512
Bright <i>v. Campbell</i> . . . . .	41 Ch. D. 388 . . . . .	174
Brighton College <i>v. Marriott</i> . . . . .	(1926) A.C. 192 . . . . .	299
Brisbane City Council <i>v. Sir Alfred</i> Cowley . . . . .	(1919) Q.S.R. 86 . . . . .	301
British Electric Railway Co. <i>v. Gentile</i> British Imperial Oil Co. <i>v. Federal</i> Commissioner of Taxation . . . . .	(1914) A.C. 1034 . . . . .	37
British Insulated and Helsby Cables <i>v. Atherton</i> . . . . .	35 C.L.R. 422 . . . . .	209, 545
Broad <i>v. Ham</i> . . . . .	(1926) A.C. 205 . . . . .	267
Brocklebank Ltd. <i>v. The King</i> . . . . .	5 Bing. N.C. 722; 132 E.R. 1278 . . . . .	347
Brocklehurst <i>v. Jessop</i> . . . . .	(1925) 1 K.B. 52 . . . . .	330
Broken Hill Pty. Co., <i>Ex parte</i> ; <i>R. v.</i> Commonwealth Court of Con- ciliation and Arbitration . . . . .	7 Sim. 438; 58 E.R. 906 . . . . .	174
— <i>v. Broken Hill Municipal</i> Council . . . . .	8 C.L.R. 419 . . . . .	96
Brook <i>v. Bradley</i> . . . . .	(1926) A.C. 94 . . . . .	171
Brooks, Scanlon, O'Brien Co. <i>v.</i> Fakkema . . . . .	L.R. 3 Ch. 672 . . . . .	487
Brown <i>v. Brown</i> . . . . .	44 Can. S.C.R. 412 . . . . .	281
— <i>v. Hawkes</i> . . . . .	62 J.P. 711 . . . . .	528
Brunton <i>v. Hawkes</i> . . . . .	(1891) 2 Q.B. 718 . . . . .	352
Burley, <i>In re</i> . . . . .	4 B. & Ald. 541; 106 E.R. 1034 . . . . .	599
Burnand <i>v. Rodocanachi</i> . . . . .	47 C.L.R. 53 . . . . .	222
Burton <i>v. Chapel Coal Co.</i> . . . . .	7 App. Cas. 333 . . . . .	633
Burwood Cinema Ltd. <i>v. Australian</i> Theatrical and Amusement Em- ployees' Association . . . . .	46 Sc.L.R. 375 . . . . .	39
Butler <i>v. Butler</i> . . . . .	35 C.L.R. 528 . . . . .	658
— <i>v. Commissioner for Road</i> Transport and Tramways . . . . .	14 Q.B.D. 831 . . . . .	22
Butt (Henry) & Co. <i>v. Weston-Super-</i> Mare Urban District Council . . . . .	52 W.N. (N.S.W.) 18 . . . . .	34
	(1922) 1 A.C. 340 . . . . .	460

## C

Caledonian Collieries Ltd. <i>v. Austral-</i> asian Coal and Shale Employees' Federation [No. 2] . . . . .	42 C.L.R. 558 . . . . .	118
Caledonian Insurance Co. <i>v. Gilmour</i> Calvert, <i>Ex parte</i> ; <i>In re</i> Messenger . . . . .	(1893) A.C. 85 . . . . .	652
Campbell <i>v. Caledonian Railway Co.</i> Canada Woollen Mills <i>v. Traplin</i> . . . . .	3 Ch. D. 317 . . . . .	252
Cardinal Vaughan Memorial School Trustees <i>v. Ryall</i> . . . . .	36 Sc.L.R. 699 . . . . .	39
	35 Can. S.C.R. 424 . . . . .	281
	7 Tax Cas. 611 . . . . .	299

xii.	CASES CITED.	[1935.
	C	PAGE
Caron v. The King . . . . .	(1924) A.C. 999 . . . . .	467
Cars v. Vickers Ltd. . . . .	12 B.W.C.C. 27 . . . . .	513
Cavalier v. Pope . . . . .	(1906) A.C. 428 . . . . .	277
Cavanough v. Commissioner for Railways . . . . .	35 S.R. (N.S.W.) 162; 52 W.N. (N.S.W.) 31 . . . . .	221
Chambers v. Goldthorpe . . . . .	(1901) 1 Q.B. 624 . . . . .	647
Chase v. Box . . . . .	Freem. Ch. 261; 22 E.R. 1197 . . . . .	166
Chinnery v. Evans . . . . .	11 H.L. Cas. 115; 11 E.R. 1274 . . . . .	174
Christchurch City Corporation v. Christ's College . . . . .	(1920) N.Z.L.R. 662 . . . . .	301
Christchurch, Mayor &c. of, v. Boland . . . . .	30 N.Z.L.R. 57 . . . . .	301
Citizens and Graziers' Life Assurance Co. v. Commonwealth Life (Amalgamated) Assurances Ltd. . . . .	51 C.L.R. 422 . . . . .	359
City Mutual Life Assurance Society Ltd. v. Smith . . . . .	48 C.L.R. 532 . . . . .	200
Clarke v. Anderson and Andersons . . . . .	12 B.W.C.C. 74 . . . . .	513
Clay v. Yates . . . . .	1 H. & N. 73; 156 E.R. 1123 . . . . .	76
Clemence v. Clarke . . . . .	<i>Hudson on Building Contracts</i> , 4th ed., vol. II., p. 54 . . . . .	649
Cleworth v. Pickford . . . . .	7 M. & W. 314; 151 E.R. 786 . . . . .	654
Clough v. Samuel . . . . .	(1905) A.C. 442 . . . . .	156
Clyde Engineering Co. v. Cowburn . . . . .	37 C.L.R. 466 . . . . .	100
Cockburn v. Edwards . . . . .	18 Ch. D. 449 . . . . .	166
Cocks v. Manners . . . . .	L.R. 12 Eq. 574 . . . . .	301
Codling v. John Mowlem & Co. . . . .	(1914) 2 K.B. 61; (1914) 3 K.B. 1055 . . . . .	53
Coglan v. Federal Commissioner of Taxation . . . . .	47 C.L.R. 109 . . . . .	404
Cohen v. Cohen . . . . .	42 C.L.R. 91 . . . . .	652
Coldrick v. Partridge, Jones & Co. . . . .	(1909) 1 K.B. 530; (1910) A.C. 77 . . . . .	281
Collector of Imposts (Vict.) v. Peers . . . . .	29 C.L.R. 115 . . . . .	466
Collins, <i>Ex parte</i> ; <i>In re</i> Rogers . . . . .	(1894) 1 Q.B. 425 . . . . .	62
Colmer v. Edle . . . . .	23 L.T. 884 . . . . .	252
Colonial Gas Association Ltd. v. Federal Commissioner of Taxation . . . . .	51 C.L.R. 172 . . . . .	553
Connings v. Heard . . . . .	L.R. 4 Q.B. 669 . . . . .	653
Commissioner for Railways (N.S.W.) v. Cavanough . . . . .	53 C.L.R. 220 . . . . .	230
Commissioner of Stamp Duties (N.S.W.) v. Millar . . . . .	48 C.L.R. 618 . . . . .	561
— (N.S.W.) v. Perpetual Trustee Co. (Watt's Case) . . . . .	38 C.L.R. 12 . . . . .	479
— (Q.) v. Beak . . . . .	46 C.L.R. 585 . . . . .	547
Commissioner of Taxation (Federal) v. Clarke . . . . .	40 C.L.R. 246 . . . . .	254, 551
— (Federal) v. Gordon . . . . .	43 C.L.R. 456 . . . . .	270
— (Federal) v. Munro . . . . .	38 C.L.R. 153 . . . . .	209
— (Federal) v. Riley . . . . .	53 C.L.R. 69 . . . . .	88
— (Federal) v. Rochester . . . . .	50 C.L.R. 225 . . . . .	77
— (Federal) v. Ryan . . . . .	38 C.L.R. 472 . . . . .	405
— (Federal) v. W. Angliss & Co. Pty. Ltd. . . . .	46 C.L.R. 417 . . . . .	558
— (W.A.) v. Newman . . . . .	29 C.L.R. 484 . . . . .	405
Commissioners of Inland Revenue— See Inland Revenue Commissioners.		
Commissioners of Stamps (Q.) v. Wienholt . . . . .	20 C.L.R. 531 . . . . .	556
Commonwealth v. Melbourne Harbour Trust Commissioners . . . . .	31 C.L.R. 1 . . . . .	315, 329
— v. Queensland . . . . .	29 C.L.R. 1 . . . . .	239, 468

	PAGE
Commonwealth and Commonwealth Oil Refineries Ltd. v. South Australia . . . . .	38 C.L.R. 408 . . . . . 547
Comptroller-General's Ruling A . . . . .	30 R.P.C., Appendix 3, p. ii. . . . . 601
Comptroller-General's Ruling E (Wainwright's Case) . . . . .	29 R.P.C., Appendix 27, p. xi. . . . . 601
Condogianis v. Guardian Assurance Co. . . . .	(1921) 2 A.C. 125; 29 C.L.R. 341 . . . . . 621
Connecticut Mutual Life Insurance Co. v. Schaefer . . . . .	94 U.S. 457; 24 Law. Ed. 251 . . . . . 631
Connecticut Mutual Life Insurance Co. of Hertford v. Moore . . . . .	6 App. Cas. 644 . . . . . 623
Connell v. Phoenix Aerated Water Co. . . . .	34 N.Z.L.R. 666 . . . . . 157
Conoley v. Quick; <i>In re</i> Delaney . . . . .	(1902) 2 Ch. 642 . . . . . 301
Cook v. Buckle . . . . .	23 C.L.R. 311 . . . . . 453
Cooke v. Cooke . . . . .	L.R. 4 Eq. 77 . . . . . 656
— v. Tombs . . . . .	2 Anst. 420; 145 E.R. 922 . . . . . 480
Cooper, <i>Ex parte</i> ; <i>In re</i> Foster . . . . .	(1882) W.N. 96 . . . . . 20
— v. Cooper . . . . .	L.R. 7 H.L. 53 . . . . . 481
Co-operative Brick Co. Pty. Ltd. v. Mayor &c. of the City of Hawthorn . . . . .	9 C.L.R. 301 . . . . . 453
Corea v. Peiris . . . . .	(1909) A.C. 549 . . . . . 347
Cornelius v. Phillips . . . . .	(1918) A.C. 199 . . . . . 156
Cornell v. Deputy Federal Commissioner of Taxation (S.A.) . . . . .	29 C.L.R. 39 . . . . . 216, 547
Cornford v. Elliott; <i>In re</i> Watts . . . . .	29 Ch. D. 947 . . . . . 481
Corporation of the Trustees of the Order of the Sisters of Mercy in Queensland v. Council of the Town of Southport . . . . .	(1935) Q.S.R. 95 . . . . . 297
Cotton v. James . . . . .	1 B. & Ad. 128; 109 E.R. 735 . . . . . 347
Counsell v. Commissioner of Stamps . . . . .	(1929) Q.S.R. 99 . . . . . 466
Country Roads Board v. Neal Ads Pty. Ltd. . . . .	43 C.L.R. 126 . . . . . 453
Cousins v. Nantes . . . . .	3 Taunt. 513; 128 E.R. 203 . . . . . 631
Cowell v. Simpson . . . . .	16 Ves. Jun. 275; 39 E.R. 989 . . . . . 254
Cox v. English, Scottish and Australian Bank . . . . .	(1905) A.C. 168 . . . . . 347
Crew Levick Co. v. Pennsylvania . . . . .	245 U.S. 292; 62 Law. Ed. 295 . . . . . 544
Crichton v. Crichton . . . . .	43 C.L.R. 536 . . . . . 29
Crisp v. Bluck . . . . .	Rep. temp. Finch 89; 23 E.R. 48 . . . . . 173
Crofts v. Harris . . . . .	Carth. 187; 90 E.R. 713; 12 Mod. Rep. 4; 88 E.R. 1127 . . . . . 653
Croll v. Edge . . . . .	9 C.B. 479; 137 E.R. 978 . . . . . 599
Crook v. Morley . . . . .	(1891) A.C. 316 . . . . . 156
Cropley's Ltd. v. Vickery . . . . .	27 C.L.R. 321 . . . . . 155
Crowe v. Price . . . . .	22 Q.B.D. 429 . . . . . 57
Crowley v. Glissan . . . . .	2 C.L.R. 402 . . . . . 348
Czarnikow v. Roth, Schmidt & Co. . . . .	(1922) 2 K.B. 478 . . . . . 646

## D

Da Costa v. Jones . . . . .	2 Cowp. 729; 98 E.R. 1331 . . . . . 632
Dalby v. India and London Life Assurance Co. . . . .	15 C.B. 365; 139 E.R. 465 . . . . . 621
Dalgety & Co. v. Gray . . . . .	26 C.L.R. 249 . . . . . 481
Danby v. Beardsley . . . . .	43 L.T. 603 . . . . . 379
Daniels v. Telfer . . . . .	34 S.R. (N.S.W.) 99; 51 W.N. (N.S.W.) 29 . . . . . 378
Davies v. Davies . . . . .	26 C.L.R. 348 . . . . . 528
— v. National Trustees Executors and Agency Co. of Australasia . . . . .	(1912) V.L.R. 397 . . . . . 20
Davis v. Gell . . . . .	35 C.L.R. 275 . . . . . 347

	PAGE
Davis <i>v.</i> Whitehead ; <i>In re</i> Duke of Marlborough . . . . .	(1894) 2 Ch. 133 . . . . . 479
Dawson, <i>In re</i> ; Pattison <i>v.</i> Bathurst <i>v.</i> Malley . . . . .	(1915) 1 Ch. 626 . . . . . 487 I.R. 1 C.L. 207 ; 15 W.R. 791 . . . . . 258
Dawsons Ltd. <i>v.</i> Bonnin . . . . .	(1922) 2 A.C. 413 . . . . . 642
Delaney, <i>In re</i> ; Conoley <i>v.</i> Quick . . . . .	(1902) 2 Ch. 642 . . . . . 301
De Lassalle <i>v.</i> Guildford . . . . .	(1901) 2 K.B. 215 . . . . . 478
D'Emden <i>v.</i> Pedder . . . . .	1 C.L.R. 91 . . . . . 466
Dempsey. <i>Ex parte</i> ; <i>In re</i> Dempsey . . . . .	L.R. 8 Ch. 676 . . . . . 566
Devons <i>v.</i> Alexander Anderson & Sons . . . . .	4 B.W.C.C. 354 . . . . . 39
Dickenson <i>v.</i> Fletcher . . . . .	L.R. 9 C.P. 1 . . . . . 567
Dignan <i>v.</i> Australian Steamships Pty. Ltd. . . . .	45 C.L.R. 188 . . . . . 204
Dilworth <i>v.</i> Commissioner of Stamps and Commissioner for Land and Income Tax . . . . .	(1899) A.C. 99 . . . . . 299
Dimsdale <i>v.</i> Robertson . . . . .	7 I. Eq. R. 536 ; 2 Jo. & Lat. 58 . . . . . 656
Dodd <i>v.</i> Dodd . . . . .	(1906) P. 189 . . . . . 528
Doleman & Sons <i>v.</i> Ossett Corporation . . . . .	(1912) 3 K.B. 257 . . . . . 646
Dominion Press Ltd. <i>v.</i> Minister of Customs and Excise . . . . .	(1928) A.C. 340 . . . . . 76
Doughty <i>v.</i> Commissioner of Taxes . . . . .	(1927) A.C. 327 . . . . . 405
Dowling, <i>In re</i> ; <i>Ex parte</i> Banks . . . . .	4 Ch. D. 689 . . . . . 62
Dr. Drury's Case . . . . .	8 Co. Rep. 141b ; 77 E.R. 688 . . . . . 224
Driver <i>v.</i> Broad . . . . .	(1893) 1 Q.B. 744 . . . . . 480
Dugdale <i>v.</i> Lovering . . . . .	L.R. 10 C.P. 196 . . . . . 512
Duhig <i>v.</i> City of South Brisbane . . . . .	(1921) Q.S.R. 133 . . . . . 298
Duke of Marlborough, <i>In re</i> ; Davis <i>v.</i> Whitehead . . . . .	(1894) 2 Ch. 133 . . . . . 479
Duke of Northumberland <i>v.</i> Bowman . . . . .	56 L.T. 773 . . . . . 576
Dunlop <i>v.</i> Cooper . . . . .	7 C.L.R. 146 . . . . . 599
Dysart (Earl) <i>v.</i> Hammerton & Co. . . . .	(1914) 1 Ch. 822 ; (1916) 1 A.C. 57 . . . . . 414

## E

Eastbourne County Borough <i>v.</i> Fuller & Sons . . . . .	93 J.P. 29 . . . . . 460
Edwards <i>v.</i> Godfrey . . . . .	(1899) 2 Q.B. 333 . . . . . 39
— <i>v.</i> Porter . . . . .	(1925) A.C. 1 . . . . . 23
Egerton-Warburton <i>v.</i> Deputy Federal Commissioner of Taxation . . . . .	51 C.L.R. 568 . . . . . 270
Emden <i>v.</i> Carte . . . . .	17 Ch. D. 768 . . . . . 62
Engineers &c. (State) Conciliation Committee, <i>Ex parte</i> ; R. <i>v.</i> Commonwealth Court of Conciliation and Arbitration . . . . .	38 C.L.R. 563 . . . . . 666
Equitable Life Assurance of the United States <i>v.</i> Bogie . . . . .	3 C.L.R. 878 . . . . . 157
Erickson <i>v.</i> Australian Steamships Ltd. . . . .	19 S.R. (N.S.W.) 132 ; 36 W.N. (N.S.W.) 54 . . . . . 37
Erlanger <i>v.</i> New Sombrero Phosphate Co. . . . .	3 App. Cas. 1218 . . . . . 575
Essendon, Mayor &c. of, <i>v.</i> Blackwood . . . . .	2 App. Cas. 574 . . . . . 298
Evans, <i>In re</i> ; Evans <i>v.</i> Noton . . . . .	(1893) 1 Ch. 252 . . . . . 593
— <i>v.</i> Horner . . . . .	(1925) Ch. 177 . . . . . 176
— <i>v.</i> Noton ; <i>In re</i> Evans . . . . .	(1893) 1 Ch. 252 . . . . . 593
— <i>v.</i> Stephen . . . . .	3 L.R. (N.S.W.) (L.) 154 . . . . . 258

## F

Fairfax (John) & Sons Ltd. and Smith's Newspapers Ltd. <i>v.</i> New South Wales . . . . .	39 C.L.R. 139 . . . . . 76
Faithful and London, Brighton and South Coast Railway Co., <i>In re</i> . . . . .	L.R. 6 Eq. 325 . . . . . 252

		PAGE
Falk v. Haugh . . . . .	(1935) V.L.R. 20 . . . . .	165
Fanton v. Denville . . . . .	(1932) 2 K.B. 309 . . . . .	278
Fanzelow v. Kerr . . . . .	14 N.Z.L.R. 660 . . . . .	379
Farmer v. Legg . . . . .	7 T.R. 186 ; 101 E.R. 923 . . . . .	647
Farrington v. Smith . . . . .	20 V.L.R. 90 ; 15 A.L.T. 218 . . . . .	168
Federal Commissioner of Taxation— See Commissioner of Taxation.		
Federated Engine-Drivers and Fire- men's Association of Australasia v. Adelaide Chemical and Fer- tilizer Co. . . . .	28 C.L.R. 1 . . . . .	93, 119
— v. Al Amalgamated . . . . .	35 C.L.R. 349 . . . . .	666
Federated Gas Employees' Industrial Union v. Metropolitan Gas Co. . . . .	16 C.A.R. 4 . . . . .	95
Federated Millers and Mill Employees' Association of Australasia v. Butcher . . . . .	47 C.L.R. 246 . . . . .	94
Federated State School Teachers' Association of Australia v. Vic- toria . . . . .	41 C.L.R. 569 . . . . .	126
Ferntree Gully Shire v. Johnston . . . . .	(1909) V.L.R. 113 ; 30 A.L.T. 194 . . . . .	298
Ffooks v. South Western Railway Co. . . . .	1 Sm. & Giff. 142 ; 65 E.R. 62 . . . . .	576
Finch v. Underwood . . . . .	2 Ch. D. 310 . . . . .	178
Finlay (James) & Co. v. N.V. Kwik Hoo Tong Handel Maatschappij . . . . .	(1929) 1 K.B. 400 . . . . .	648
Finn v. Shelton Iron, Steel and Coal Co. . . . .	17 B.W.C.C. 69 . . . . .	513
Fisher v. Calvert . . . . .	27 W.R. 301 . . . . .	267
Fitzjohn v. Mackinder . . . . .	9 C.B. N.S. 505 ; 142 E.R. 199 . . . . .	378
Fleet v. Perrins . . . . .	L.R. 4 Q.B. 500 . . . . .	21
Foster, <i>In re</i> ; <i>Ex parte</i> Cooper . . . . .	(1882) W.N. 96 . . . . .	20
Fowkes v. Manchester and London Assurance Association . . . . .	3 B. & S. 917 ; 122 E.R. 343 . . . . .	642
Francis v. Cockrell . . . . .	L.R. 5 Q.B. 184, 501 . . . . .	276
Francis' Application, <i>In re</i> . . . . .	27 R.P.C. 86 . . . . .	601
Franklin County v. Wesley Training College Board . . . . .	(1926) N.Z.L.R. 512 . . . . .	301
Fraser v. Victorian Railways Com- missioners . . . . .	8 C.L.R. 54 . . . . .	277
Freeman v. Bernard . . . . .	1 Ld. Raym. 247 ; 91 E.R. 1061 . . . . .	653
Fulthorpe v. Foster . . . . .	1 Vern. 476 ; 23 E.R. 602 . . . . .	168

## G

Gadd and Mason v. Mayor &c. of Man- chester . . . . .	9 R.P.C. 249 . . . . .	615
Gallagher v. Talty . . . . .	7 N.Z.L.R. 35 . . . . .	20
Garrett, <i>In re</i> . . . . .	(1930) 2 Ch. 137 . . . . .	58
Gaskell v. Gosling . . . . .	(1896) 1 Q.B. 669 . . . . .	168
Geary v. Ginzler & Co. . . . .	6 B.W.C.C. 72 . . . . .	512
General Billposting Co. v. Atkinson . . . . .	(1908) 1 Ch. 537 ; (1909) A.C. 118 . . . . .	577
George Richards & Co. and Laidlar's Application, <i>In re</i> . . . . .	41 R.P.C. 321 . . . . .	601
Gilpin (O.) Ltd. v. Commissioner for Road Transport and Tramways (N.S.W.) . . . . .	52 C.L.R. 189 . . . . .	495, 554
Girls' Public Day School Trust v. Ereaut . . . . .	(1931) A.C. 12 . . . . .	299
Glenn v. Federal Commissioner of Land Tax . . . . .	20 C.L.R. 490 . . . . .	479
Goddart v. Garrett . . . . .	2 Vern. 269 ; 23 E.R. 774 . . . . .	631
Godsall v. Boldero . . . . .	9 East 72 ; 103 E.R. 500 . . . . .	633
Goodwin v. Sheffield Corporation . . . . .	(1902) 1 K.B. 629 . . . . .	60
Gould v. Curtis . . . . .	(1912) 1 K.B. 635 . . . . .	639

		PAGE
Grady v. Commissioner for Railways	52 W.N. (N.S.W.) 103 . . .	230
Gray v. Smith	43 Ch. D. 208 . . .	481
Graydon, <i>In re</i> ; <i>Ex parte</i> Official Receiver	(1896) 1 Q.B. 417 . . .	62
Greater Sydney Development Association Ltd. v. Rivett	29 S.R. (N.S.W.) 356; 46 W.N. (N.S.W.) 99 . . .	577
Great Western Railway Co. v. Sutton Greenlands Ltd. v. Wilmhurst and the London Association for the Protection of Trade	L.R. 4 H.L. 226 . . .	453
Greig v. Watson	(1913) 3 K.B. 507 . . .	354
Griffiths v. London and St. Katharine Docks Co.	7 V.L.R. (E.) 79; 3 A.L.T. 13 . . .	166
Groongal Pastoral Co. (in Liquidation) v. Falkiner	13 Q.B.D. 259 . . .	282
Guardian Assurance Co. v. Condo-gianis	35 C.L.R. 157 . . .	166
	26 C.L.R. 231 . . .	621

## H

Haddrick v. Heslop	12 Q.B. 267; 116 E.R. 869 . . .	347
Hadfield v. Mayor &c. of Liverpool	80 L.T. 566 . . .	298
Hamilton, <i>In re</i> ; <i>Hamilton v. Hamilton</i>	25 N.Z.L.R. 218 . . .	481
Harbon v. Geddes	34 S.R. (N.S.W.) 515; 51 W.N. (N.S.W.) 173 . . .	34
Harcourt v. Aiken	22 N.Z.L.R. 389 . . .	348
Harlock v. Ashberry	19 Ch. D. 539 . . .	166
Harman v. Vanhatton	2 Vern. 717; 23 E.R. 1071 . . .	631
Harris v. Byerley	25 C.L.R. 55 . . .	647
— v. Reynolds	7 Q.B. 71; 115 E.R. 414 . . .	656
Harrison, <i>Ex parte</i> ; <i>In re</i> Betts	18 Ch. D. 127 . . .	168
— v. Wythemoor Colliery Co.	(1922) 2 K.B. 674 . . .	39
Harrisons & Crossfield v. London and North-Western Railway	(1917) 2 K.B. 755 . . .	414
Harvester Case	6 C.L.R. 41 . . .	101
"Harvester Judgment Standard," <i>Re</i>	16 C.A.R. 829 . . .	95
Harvey v. Harvey	26 Ch. D. 644 . . .	593
Hawkesworth v. Turner	46 T.L.R. 389 . . .	480
Hay, <i>In re</i> ; <i>Langford v. City of Richmond</i>	(1922) V.L.R. 186; 43 A.L.T. 158 . . .	223
— v. Justices of the Tower Division of London	24 Q.B.D. 561 . . .	224
Henry Butt & Co. v. Weston-Super-Mare Urban District Council	(1922) 1 A.C. 340 . . .	460
Herald and Weekly Times Ltd. v. Federal Commissioner of Taxation	48 C.L.R. 113 . . .	270
Hickman v. Federal Commissioner of Taxation	31 C.L.R. 232 . . .	405
Hicks v. Faulkner	8 Q.B.D. 167 . . .	347
Hill, <i>Ex parte</i> ; <i>R. v. Vizzard</i>	50 C.L.R. 30 . . .	495, 546
— v. Halford	2 Bos. & P. 413; 126 E.R. 1357 . . .	267
— v. Thomas	(1893) 2 Q.B. 333 . . .	460
Hodgson v. Johnson	E.B. & E. 685; 120 E.R. 666 . . .	480
Hollinshead v. Hazleton	(1916) 1 A.C. 428 . . .	65
Horton v. Jones	34 S.R. (N.S.W.) 359; 51 W.N. (N.S.W.) 126 . . .	476
Howarth, <i>Re</i> ; <i>Ex parte</i> Official Receiver	8 A.B.C. 16 . . .	56
Hoyes v. Kindersley	2 Sm. & G. 195; 65 E.R. 362 . . .	20
Hoystead v. Commissioner of Taxation	(1926) A.C. 155 . . .	171

		PAGE
Hoysted v. Federal Commissioner of Taxation . . . . .	37 C.L.R. 290 . . . . .	479
Hoyt's Pty. Ltd. v. Spencer . . . . .	27 C.L.R. 133 . . . . .	578, 655
Huggins, <i>Ex parte</i> ; <i>In re</i> Huggins . . . . .	21 Ch. D. 85 . . . . .	57
Hughes and Kennaugh's Application, <i>In re</i> . . . . .	27 R.P.C. 281 . . . . .	600
Hull's Application, <i>In re</i> . . . . .	49 R.P.C. 433 . . . . .	600
Humble v. Mitchell . . . . .	11 A. & E. 205; 113 E.R. 392 . . . . .	479
Hunkin v. Siebert . . . . .	51 C.L.R. 538 . . . . .	223
H. V. McKay Pty. Ltd. v. Court of Arbitration of Western Australia . . . . .	28 C.A.R. 333 . . . . .	670
_____ v. Hunt . . . . .	38 C.L.R. 308 . . . . .	100

## I

Ince Bros. and Cambridge Manufacturing Co. Pty. Ltd. v. Federated Clothing and Allied Trades Union . . . . .	34 C.L.R. 457 . . . . .	118
Income Tax Acts 1924 to 1928, <i>In re</i> [No. 1] . . . . .	(1933) Q.S.R. 21 . . . . .	536
Indermaur v. Dames . . . . .	L.R. 1 C.P. 274; L.R. 2 C.P. 311 . . . . .	276
Inland Revenue Commissioners v. Lysaght . . . . .	(1928) A.C. 234 . . . . .	451
Insurance Case [No. 2] . . . . .	<i>Sheehan's Bulletin</i> , vol. VIII., p. 83 . . . . .	109
Ireland v. Livingstone . . . . .	L.R. 5 H.L. 395 . . . . .	431, 512

## J

James Finlay & Co. v. N.V. Kwik Hoo Tong Handel Maatschappij . . . . .	(1929) 1 K.B. 400 . . . . .	648
J. C. Williamson Ltd. v. Lukey and Mulholland . . . . .	45 C.L.R. 282 . . . . .	577
John Fairfax & Sons Ltd. and Smith's Newspapers Ltd. v. New South Wales . . . . .	39 C.L.R. 139 . . . . .	76
Johnson v. Emerson . . . . .	L.R. 6 Ex. 329 . . . . .	347
Johnson's Application, <i>In re</i> . . . . .	47 R.P.C. 519 . . . . .	600
Joseph Suche & Co., <i>In re</i> . . . . .	1 Ch. D. 48 . . . . .	199
Joyce v. Realm Marine Insurance Co. . . . .	L.R. 7 Q.B. 580 . . . . .	622
Judiciary and Navigation Acts, <i>In re</i> . . . . .	29 C.L.R. 257 . . . . .	444
Jupp, <i>In re</i> ; Jupp v. Buckwell . . . . .	39 Ch. D. 148 . . . . .	22

## K

Kaufman v. McGillicuddy . . . . .	19 C.L.R. 1 . . . . .	575
Kelly v. Municipal Council of Sydney . . . . .	28 C.L.R. 203 . . . . .	298
Kempton and Mollan's Application, <i>In re</i> . . . . .	22 R.P.C. 573 . . . . .	601
Kendall v. Hamilton . . . . .	4 App. Cas. 505 . . . . .	52
Kensington (Lord) v. Bouverie . . . . .	7 DeG. M. & G. 134; 44 E.R. 53 . . . . .	183
Kill v. Hollister . . . . .	1 Wils. 129; 95 E.R. 532 . . . . .	653
King v. Edinburgh Collieries Co. . . . .	(1924) S.C. 167 . . . . .	45
Kinneil Cannel and Coking Coal Co. v. Waddell . . . . .	(1931) A.C. 575 . . . . .	46
Kisch, <i>Ex parte</i> ; R. v. Carter . . . . .	52 C.L.R. 221 . . . . .	504
_____, <i>Ex parte</i> ; R. v. Fletcher . . . . .	52 C.L.R. 248 . . . . .	434
Kitchin, <i>In re</i> : <i>Ex parte</i> Young . . . . .	17 Ch. D. 668 . . . . .	649
Klauber v. Weill . . . . .	17 T.L.R. 344 . . . . .	258

## L

Laidlaw v. Hastings Pier Co. . . . .	<i>Hudson on Building Contracts</i> , 4th ed., vol. II., p. 13 . . . . .	647
Lancaster's Application, <i>In re</i> . . . . .	20 R.P.C. 366 . . . . .	600
Landau, <i>In re</i> : <i>Ex parte</i> Trustee . . . . .	(1934) Ch. 549 . . . . .	65
Lane v. W. Lusty & Son . . . . .	(1915) 3 K.B. 230; 8 B.W.C.C. 518 . . . . .	513

	PAGE
Lane Fox v. Kensington and Knights- bridge Electric Lighting Co. . . . .	9 R.P.C. 221, 413 . . . . . 615
Langford v. City of Richmond; <i>In re</i> Hay . . . . .	(1922) V.L.R. 186; 43 A.L.T. 158 . . . . . 223 (1913) 1 K.B. 398 . . . . . 294
Latham v. R. Johnson & Nephew Ltd. Law v. London Indisputable Life Policy Co. . . . .	1 K. & J. 223; 69 E.R. 439 . . . . . 622 2 Anst. 425; 145 E.R. 924 . . . . . 480
Lea v. Barber . . . . .	1 B. & S. 272; 121 E.R. 716 . . . . . 76
Lee v. Griffin . . . . .	30 L.J. Ch. 857 . . . . . 656
— v. Page . . . . .	
Leicester County Council v. Assess- ment Committee of Parish of Leicester . . . . .	78 L.T. 463 . . . . . 301
Levy's Lessee v. M'Cartee . . . . .	31 U.S. 102; 8 Law. Ed. 334; 10 Curt. Dec. 47 . . . . . 21
Lipman v. Clendinnen . . . . .	46 C.L.R. 550 . . . . . 276
Lishman v. Christie & Co. . . . .	19 Q.B.D. 333 . . . . . 648
Lister v. Perryman . . . . .	L.R. 4 H.L. 521 . . . . . 347
Little v. Newton . . . . .	2 Man. & G. 351; 133 E.R. 781 . . . . . 94
— v. P. & W. MacLellan Ltd. . . . .	2 F. (Ct. of Sess.) 387 . . . . . 39
Local Government Board v. Arlidge . . . . .	(1915) A.C. 120 . . . . . 314
Lochgelly Iron and Coal Co. v. M'Mullan . . . . .	(1934) A.C. 1 . . . . . 39
London Tramways Co. v. Bailey . . . . .	3 Q.B.D. 217 . . . . . 646
Long v. Town . . . . .	10 L.R. (N.S.W.) (Eq.) 253 . . . . . 166
Lord Advocate v. Moray (Countess of) Lord Kensington v. Bouverie . . . . .	(1905) A.C. 531 . . . . . 451 7 DeG. M. & G. 134; 44 E.R. 53 . . . . . 183
Lord Sanchar's Case . . . . .	9 Co. Rep. 117a; 77 E.R. 902 . . . . . 225
Lord Sudeley v. Attorney-General . . . . .	(1897) A.C. 11 . . . . . 479
Lucas, <i>In re</i> ; Rhys v. Attorney- General . . . . .	(1922) 2 Ch. 52 . . . . . 268
Lupton, <i>In re</i> ; <i>Ex parte</i> Official Receiver . . . . .	(1912) 1 K.B. 107 . . . . . 67

## M

McArthur (W. & A.) Ltd. v. Queens- land . . . . .	28 C.L.R. 530 . . . . . 543
M'Cafferty v. MacAndrews & Co. . . . .	(1930) A.C. 599 . . . . . 37
McDermott v. Judges of British Guiana . . . . .	L.R. 2 P.C. 341 . . . . . 442
McDonald v. McMullen . . . . .	25 W.N. (N.S.W.) 142 . . . . . 577
Macdougall v. Knight . . . . .	14 App. Cas. 194 . . . . . 347
Machattie v. Lee . . . . .	10 L.R. (N.S.W.) (L.) 182; 6 W.N. (N.S.W.) 13 . . . . . 347
McIlwraith McEacharn Ltd. v. Sweet- man . . . . .	44 C.L.R. 116 . . . . . 40
Mack v. Ward . . . . .	28 Sol. Jo. 234; (1884) W.N. 16 . . . . . 258
Mackay v. Rosie . . . . .	(1908) S.C. 174 . . . . . 45
McKay (H. V.) Pty. Ltd. v. Court of Arbitration of Western Aus- tralia . . . . .	28 C.A.R. 333 . . . . . 670 38 C.L.R. 308 . . . . . 100
— v. Hunt . . . . .	43 C.L.R. 472 . . . . . 100
McLean, <i>Ex parte</i> . . . . .	(1917) 2 K.B. 325 . . . . . 276
Maclenan v. Segar . . . . .	(1899) A.C. 549 . . . . . 441
McLeod v. St. Aubyn . . . . .	8 App. Cas. 467 . . . . . 479
Maddison v. Alderson . . . . .	142 U.S. 217; 35 Law. Ed. 994 . . . . . 557
Maine v. Grand Trunk Railway Co. . . . .	1 A.J.R. 114 . . . . . 347
Mansergh v. M'Kersie . . . . .	(1896) 2 Ch. 263 . . . . . 252
Margetts, <i>In re</i> . . . . .	
Marlborough (Duke), <i>In re</i> ; Davis v. Whitehead . . . . .	(1894) 2 Ch. 133 . . . . . 479
Marshal v. Crutwell . . . . .	L.R. 20 Eq. 328 . . . . . 20

		PAGE
Marshall v. Joseph Rogers & Sons Ltd.	10 B.W.C.C. 588	513
Maryborough Newspaper Co. v. Federal Commissioner of Taxation	43 C.L.R. 450	270
Massey v. Sladen	L.R. 4 Ex. 13	648
May v. Higgins	21 C.L.R. 119	599
Maye v. Colonial Mutual Life Assurance Society Ltd.	35 C.L.R. 14	622
Mayfield v. Wadsley	3 B. & C. 357; 107 E.R. 766	478
Mayhew v. Halton; <i>In re</i> Morris	(1921) 1 Ch. 172	479
Mayor &c. of Christchurch v. Boland	30 N.Z.L.R. 57	301
Mayor &c. of Essendon v. Blackwood	2 App. Cas. 574	298
Maythorne v. Palmer	11 Jur. 230	576
Meaney v. Waratah Municipal Council	40 W.N. (N.S.W.) 106	299
Measures Brothers Ltd. v. Measures	(1910) 2 Ch. 248	575
Mediterranean and New York Steamship Co. v. A. F. & D. Mackay	(1903) 1 K.B. 297	649
Melbourne Corporation v. Barry	31 C.L.R. 174	453
Mersey Docks and Harbour Board v. Procter	(1923) A.C. 253	278
Messenger, <i>In re</i> ; <i>Ex parte</i> Calvert	3 Ch. D. 317	252
Metropolitan Gas Co., <i>In re</i> ; Amalgamated Engineering Union v. Alderdice Pty. Ltd.	41 C.L.R. 402	143
— v. Federal Commissioner of Taxation	47 C.L.R. 621	267, 314
Metz Laboratories' Application, <i>In re</i>	50 R.P.C. 355	600
Mews v. Mews	15 Beav. 529; 51 E.R. 643	22
Middlebrook & Stone Ltd., <i>In re</i>	51 W.N. (N.S.W.) 103	197
Miller v. Collins	(1896) 1 Ch. 573	480
— v. Morgan	(1935) 1 K.B. 1	39
Mitchell v. B. W. Noble Ltd.	(1927) 1 K.B. 719	267
Moreau v. Federal Commissioner of Taxation	39 C.L.R. 65	547
Morgan v. Griffith	L.R. 6 Ex. 70	485
Moriarty v. London, Chatham and Dover Railway Co.	L.R. 5 Q.B. 314	347
Morris, <i>In re</i> ; Mayhew v. Halton	(1921) 1 Ch. 172	479
Motor Credits Ltd., <i>Ex parte</i> ; <i>In re</i> Property Insurance Co. Ltd.	35 S.R. (N.S.W.) 1; 51 W.N. (N.S.W.) 199	196
Mount Morgan Gold Mining Co. v. Commissioner of Income Tax (Q.)	33 C.L.R. 76	551
Mulrooney v. Todd	(1909) 1 K.B. 165	512
Municipal Council of Sydney v. Prince Alfred Hospital	51 W.N. (N.S.W.) 145	301
Municipality of North Sydney v. Goddard	9 S.R. (N.S.W.) 732; 26 W.N. (N.S.W.) 137	298
Munro v. Commissioner of Stamp Duties	(1933) A.C. 61; 34 S.R. (N.S.W.) 1	77
Murdock v. Ward	178 U.S. 139; 44 Law. Ed. 1009	241
Murphy v. Henderson & Glass	23 B.W.C.C. 91	514
Mutual Life Insurance Co. of New York v. Moss	4 C.L.R. 312	346
— v. Ontario Metal Products Co.	(1925) A.C. 344	621
Mutual Safety Insurance Co. v. Hone	(1849) 2 N.Y. 235	622

N		PAGE
National Bank of Australasia Ltd. v. Dobbs . . . . .	35 S.R. (N.S.W.) 223 ; 52 W.N. (N.S.W.) 53 . . . . .	643
National Telephone Co. v. Postmaster General . . . . .	(1913) A.C. 546 . . . . .	180
Nelson v. Booth . . . . .	3 DeG. & J. 119 ; 44 E.R. 1214 . . . . .	182
Nevill v. Fine Art and General Insurance Co. . . . .	(1897) A.C. 68 . . . . .	346
Newcastle Breweries Ltd. v. The King North Melbourne Electric Tramways and Lighting Co., <i>Ex parte</i> ; R. v. Commonwealth Court of Conciliation and Arbitration . . . . .	(1920) 1 K.B. 854 . . . . .	647
North Sydney Municipality v. Goddard . . . . .	29 C.L.R. 106 . . . . .	119
Northumberland (Duke) v. Bowman	9 S.R. (N.S.W.) 732 ; 26 W.N. (N.S.W.) 137 . . . . .	298
Norwich Union Fire Insurance Society v. Colonial Mutual Fire Insurance Co. . . . .	56 L.T. 773 . . . . .	576
Noyes v. Pollock . . . . .	(1922) 2 K.B. 461 . . . . .	621
Nunawading Shire v. Adult Deaf and Dumb Society of Victoria . . . . .	32 Ch. D. 53 . . . . .	167
Nuttall v. Hargreaves . . . . .	29 C.L.R. 98 . . . . .	298
	(1892) 1 Ch. 23 ; 8 R.P.C. 450 . . . . .	599

## O

O'Farrell v. Council of the Municipality of Bathurst . . . . .	40 W.N. (N.S.W.) 78 . . . . .	268, 301
Official Assignee, <i>Ex parte</i> ; Re Brady	19 L.R. (N.S.W.) B. & P. 6 . . . . .	155
—, <i>Ex parte</i> ; Re Pike . . . . .	17 L.R. (N.S.W.) B. & P. 34 . . . . .	155
Official Receiver, <i>Ex parte</i> ; In re Graydon . . . . .	(1896) 1 Q.B. 417 . . . . .	62
—, <i>Ex parte</i> ; Re Howarth . . . . .	8 A.B.C. 16 . . . . .	56
—, <i>Ex parte</i> ; In re Lupton . . . . .	(1912) 1 K.B. 107 . . . . .	67
Ogden v. Melbourne Electric Supply Co. . . . .	(1918) V.L.R. 77 ; 39 A.L.T. 111 . . . . .	281
O. Gilpin Ltd. v. Commissioner for Road Transport and Tramways (N.S.W.) . . . . .	52 C.L.R. 189 . . . . .	495, 554
Oliver v. Nautilus Steam Shipping Co. . . . .	(1903) 2 K.B. 639 . . . . .	45
O'Shea v. O'Shea and Parnell . . . . .	15 P.D. 59 . . . . .	591
Osterstrom and Wagner's Application. <i>In re</i> . . . . .	49 R.P.C. 565 . . . . .	601
O'Sullivan v. National Trustees, Executors and Agency Co. of Australasia Ltd. . . . .	(1913) V.L.R. 173 ; 34 A.L.T. 190 . . . . .	481
Ozark Pipe Line Corporation v. Monier	266 U.S. 555 ; 69 Law. Ed. 439 . . . . .	544

## P

Page v. Burtwell . . . . .	(1908) 2 K.B. 758 . . . . .	45
Pandit Gaya Parshad Tewari v. Sardar Bhagat Singh . . . . .	30 All. 525 ; 24 T.L.R. 884 . . . . .	351
Parr's Banking Co. v. Yates . . . . .	(1898) 2 Q.B. 460 . . . . .	168
Parsons v. Gillespie [No. 2] . . . . .	17 L.R. (N.S.W.) (Eq.) 69 ; 12 W.N. (N.S.W.) 158 . . . . .	589
Partridge v. McIntosh & Sons Ltd. . . . .	49 C.L.R. 453 . . . . .	166
Pattisson v. Bathurst ; In re Dawson	(1915) 1 Ch. 626 . . . . .	487
Paul & Gray Ltd., <i>In re</i> . . . . .	32 S.R. (N.S.W.) 386 ; 49 W.N. (N.S.W.) 164 . . . . .	198

	PAGE
Peacock v. Peacock . . . . .	2 Camp. 45 ; 170 E.R. 1076 ; 16 Ves. 49 ; 33 E.R. 902 . . . . . 19
Pearce v. Foster . . . . .	17 Q.B.D. 536 . . . . . 231
Peck & Co. v. Lowe . . . . .	247 U.S. 165 ; 62 Law. Ed. 1049 . . . . . 557
Pelly, <i>Ex parte</i> ; <i>Re</i> Anglo-French Co-operative Society Ltd. [No. 2]	50 L.T. 754 . . . . . 199
Pemberton, <i>Ex parte</i> . . . . .	18 Ves. Jun. 282 ; 34 E.R. 324 . . . . . 252
Penn v. Bibby . . . . .	L.R. 2 Ch. 127 . . . . . 608
Penrose v. Federal Commissioner of Taxation . . . . .	45 C.L.R. 263 . . . . . 209
Perpetual Trustee Co. v. Federal Commissioner of Taxation . . . . .	45 C.L.R. 224 . . . . . 267
<i>v.</i> . . . . .	47 C.L.R. 402 . . . . . 240, 466
Perrett, <i>Ex parte</i> : Stevens v. Perrett	(1935) Q.S.R. 207 . . . . . 450
Peters v. Mayor &c. of Cambridge . . . . .	(1926) N.Z.L.R. 849 . . . . . 298
Pickering v. Ilfracombe Railway Co. . . . .	L.R. 3 C.P. 235 . . . . . 478
Pike, <i>Re</i> ; <i>Ex parte</i> Official Assignee	17 L.R. (N.S.W.) B. & P. 34 . . . . . 155
Pirrie v. McFarlane . . . . .	36 C.L.R. 170 . . . . . 504
Playne v. Twisden ; <i>Re</i> Pritchard's Settlement . . . . .	88 L.T. 197 . . . . . 481
Plummer v. Coler . . . . .	178 U.S. 115 ; 44 Law. Ed. 999 . . . . . 241
Pollard v. Photographic Co. . . . .	40 Ch. D. 345 . . . . . 77
Poulton v. London and South Western Railway Co. . . . .	L.R. 2 Q.B. 534 . . . . . 513
Powell v. Main Colliery Co. . . . .	(1900) A.C. 366 . . . . . 39
President, Councillors and Ratepayers of the Shire of Ferntree Gully v. Johnston . . . . .	(1909) V.L.R. 113 ; 30 A.L.T. 194 . . . . . 298
Prince of Wales Life Assurance So- ciety, <i>Ex parte</i> ; <i>Re</i> Athenaeum Life Assurance Society . . . . .	Johns. 633 ; 70 E.R. 573 . . . . . 623
Pritchard's Settlement, <i>Re</i> ; Playne v. Twisden . . . . .	88 L.T. 197 . . . . . 481
Process Engravers (Cumberland and Newcastle) Apprenticeship Coun- cil, <i>In re</i> . . . . .	32 A.R. (N.S.W.) 90 . . . . . 148
Property Insurance Co. Ltd., <i>In re</i> ; <i>Ex parte</i> Motor Credits Ltd. . . . .	35 S.R. (N.S.W.) 1 ; 51 W.N. (N.S.W.) 199 . . . . . 196
Prout v. Gregory . . . . .	24 Q.B.D. 281 . . . . . 258

## Q

Queensland National Association v. Booroodabin Divisional Board . . . . .	4 Q.L.J. 151 . . . . . 298
--	----------------------------

## R

R. v. Agar . . . . .	14 East 256 ; 104 E.R. 599 . . . . . 299
— v. Carter ; <i>Ex parte</i> Kisch . . . . .	52 C.L.R. 221 . . . . . 504
— v. Collector of Customs (Vict.) ; <i>Ex</i> <i>parte</i> Berliner . . . . .	53 C.L.R. 322 . . . . . 320
— v. Commonwealth Court of Con- ciliation and Arbitration ; <i>Ex</i> <i>parte</i> Broken Hill Pty. Co. . . . .	8 C.L.R. 419 . . . . . 96
— v. ——— ; <i>Ex parte</i> Engineers &c. (State) Conciliation Committee . . . . .	38 C.L.R. 563 . . . . . 666
— v. ——— ; <i>Ex parte</i> North Melbourne Electric Tramways and Lighting Co. . . . .	29 C.L.R. 106 . . . . . 119
— v. ——— ; <i>Ex parte</i> Whybrow & Co. . . . .	11 C.L.R. 1 . . . . . 93, 119

	PAGE
R. v. Comptroller-General of Customs; <i>Ex parte</i> Woolworths Ltd.	53 C.L.R. 308 . . . 323
— v. Drury . . . . .	3 Car. & K. 193; 175 E.R. 517 . . . 223
— v. Ellis; <i>Ex parte</i> Baird . . . . .	28 N.B. R. 497 . . . . . 442
— v. Fletcher; <i>Ex parte</i> Kisch . . . . .	52 C.L.R. 248 . . . . . 434
— v. Gray . . . . .	(1900) 2 Q.B. 36 . . . . . 446
— v. Henningham . . . . .	Mac. (N.Z.) 712 . . . . . 441
— v. Inhabitants of St. Giles, York . . . . .	3 B. & Ad. 573; 110 E.R. 208 . . . 299
— v. Lee . . . . .	16 L.R. (N.S.W.) 6; 11 W.N. (N.S.W.) 121 . . . . . 228
— v. Lords Commissioners of the Treasury . . . . .	L.R. 7 Q.B. 387 . . . . . 330
— v. Nicholls . . . . .	12 C.L.R. 280 . . . . . 441
— v. O'Keefe . . . . .	15 L.R. (N.S.W.) 1; 10 W.N. (N.S.W.) 194 . . . . . 228
— v. Pedrick & Palen . . . . .	59 D.L.R. 315 . . . . . 78
— v. Postmaster-General . . . . .	3 Q.B.D. 428 . . . . . 57
— v. Secretary of State for War . . . . .	(1891) 2 Q.B. 326 . . . . . 330
— v. Sterry . . . . .	12 A. & E. 84; 113 E.R. 743 . . . 299
— v. Vizzard; <i>Ex parte</i> Hill . . . . .	50 C.L.R. 30 . . . . . 495, 546
— v. Wheeler . . . . .	2 B. & Ald. 345; 106 E.R. 392 . . . 607
— v. Wood Green Profiteering Committee; <i>Ex parte</i> Boots Cash Chemists (Southern) Ltd.	89 L.J. K.B. 55 . . . . . 76
Rankin v. Potter . . . . .	L.R. 6 H.L. 83 . . . . . 639
Read v. Great Eastern Railway Co. . . . .	L.R. 3 Q.B. 555 . . . . . 37
Reed v. Smith Wilkinson & Co. . . . .	3 B.W.C.C. 223 . . . . . 514
Reid v. Commissioner of Patents . . . . .	20 C.L.R. 261 . . . . . 602
— v. Reid . . . . .	(1926) P. 1 . . . . . 528
Restell v. Nye . . . . .	(1901) 1 Q.B. 624 . . . . . 647
Rhys v. Attorney-General; <i>In re</i> Lucas . . . . .	(1922) 2 Ch. 52 . . . . . 268
Richards v. Morgan . . . . .	4 Y. & C. (Ex.) 570; 160 E.R. 1136 . . . . . 168
— v. Payne . . . . .	Cited, <i>Halsbury</i> , 1st ed., vol. 20, p. 191, n.t . . . . . 520
Richards (George) & Co. and Laidlar's Application, <i>In re</i> . . . . .	41 R.P.C. 321 . . . . . 601
Richardson v. Federal Commissioner of Taxation . . . . .	48 C.L.R. 192 . . . . . 209
— v. Garnett . . . . .	12 T.L.R. 127 . . . . . 481
Risdale v. Owners of S.S. Kilmarnock . . . . .	(1915) 1 K.B. 503; 8 B.W.C.C. 7 . . . 512
Roberts, <i>In re</i> . . . . .	(1900) 1 Q.B. 122 . . . . . 62
— v. Ball . . . . .	3 Sm. & Giff. 168; 65 E.R. 610 . . . 592
Robinson v. Graves . . . . .	51 T.L.R. 334 . . . . . 76
Rogers, <i>In re</i> ; <i>Ex parte</i> Collins . . . . .	(1894) 1 Q.B. 425 . . . . . 62
Roman Catholic Archbishop of Perth v. Perth Road Board . . . . .	49 C.L.R. 37 . . . . . 300
Roman Catholic Archbishop of Sydney v. Metropolitan Water, Sewerage and Drainage Board . . . . .	40 C.L.R. 472 . . . . . 301
Ropner Steamship Co. and Miller v. Morgan . . . . .	(1935) 1 K.B. 1 . . . . . 39
Rose and Frank Co. v. J. R. Crompton & Bros. Ltd. . . . .	(1923) 2 K.B. 261; (1925) A.C. 445 . . . . . 652
Rowe, <i>In re</i> . . . . .	(1926) V.L.R. 452; 48 A.L.T. 68 . . . 479
Royal Masonic Institution for Boys (Trustees) v. Parkes . . . . .	(1912) 3 K.B. 212 . . . . . 301
Ryan v. Oceanic Steam Navigation Co. . . . .	(1914) 3 K.B. 731 . . . . . 348

	<b>S</b>	PAGE
Sadlers' Co. v. Badcock . . . . .	2 Atk. 554 ; 26 E.R. 733 . . . . .	631
Sanchar's Case . . . . .	9 Co. Rep. 117a ; 77 E.R. 902 . . . . .	225
Saunders v. Queensland Insurance Co. . . . .	45 C.L.R. 557 . . . . .	621
Sayers v. Collyer . . . . .	28 Ch. D. 103 . . . . .	576
Seaeegg v. The King . . . . .	48 C.L.R. 251 . . . . .	191
Searls Ltd., <i>In re</i> . . . . .	33 S.R. (N.S.W.) 7 ; 49 W.N. (N.S.W.) 195 . . . . .	77
Seaton v. Burnand . . . . .	(1900) A.C. 135 . . . . .	346
Seaward v. Paterson . . . . .	(1897) 1 Ch. 545 . . . . .	591
Scott v. Avery . . . . .	5 H.L.C. 811 ; 10 E.R. 1121 . . . . .	652
Shand v. Du Buisson . . . . .	L.R. 18 Eq. 283 . . . . .	267
Sharp v. Biggs . . . . .	48 C.L.R. 81 . . . . .	347
Sharpe v. San Paulo Railway Co. . . . .	L.R. 8 Ch. 597 . . . . .	647
Shaw v. Halifax Corporation . . . . .	(1915) 2 K.B. 170 . . . . .	267, 298
Sheffield Corporation v. Barclay . . . . .	(1905) A.C. 392 . . . . .	512
Shell Co. of Australia v. Federal Commissioner of Taxation . . . . .	(1931) A.C. 275 . . . . .	209
Shine, <i>In re</i> ; <i>Ex parte</i> Shine . . . . .	(1892) 1 Q.B. 522 . . . . .	58
Shoolbred v. Roberts . . . . .	(1900) 2 Q.B. 497 . . . . .	62
Showers v. Assessment Committee of Chelmsford Union . . . . .	(1891) 1 Q.B. 339 . . . . .	298
Shrosbery v. Osmaston . . . . .	37 L.T. 792 . . . . .	347
Slanning v. Style . . . . .	3 P.Wms. 334 ; 24 E.R. 1089 . . . . .	22
Smallcombe v. Olivier . . . . .	13 M. & W. 77 ; 153 E.R. 32 . . . . .	227
Smith v. Anderson . . . . .	15 Ch. D. 247 . . . . .	404
— v. Baker & Sons . . . . .	(1891) A.C. 325 . . . . .	276
— v. Chadwick . . . . .	20 Ch. D. 27 . . . . .	578
— v. Fife Coal Co. . . . .	7 B.W.C.C. 253 . . . . .	512
— v. Incorporated Council of Law Reporting for England and Wales . . . . .	(1914) 3 K.B. 674 . . . . .	270
— v. Wood . . . . .	(1929) 1 Ch. 14 . . . . .	649
Smith v. Service and Nelson & Sons, <i>In re</i> . . . . .	25 Q.B.D. 545 . . . . .	653
Smyth, <i>In re</i> . . . . .	(1931) Unreported. [Court of Bankruptcy, District of S.A., 9th October] . . . . .	566
South American Export Syndicate Ltd. and La Frigorifica Uruguay v. Federal Steam Navigation Co. . . . .	25 T.L.R. 272 . . . . .	656
South Australian Co. v. Richardson . . . . .	20 C.L.R. 181 . . . . .	295
Southern Cross Assurance Co. Ltd. v. Australian Provincial Assurance Association Ltd. . . . .	35 S.R. (N.S.W.) 193 ; 52 W.N. (N.S.W.) 49 . . . . .	619
Spanish Prospecting Co., <i>In re</i> . . . . .	(1911) 1 Ch. 92 . . . . .	404
Spence v. Coleman . . . . .	(1901) 2 K.B. 199 . . . . .	258
Stamp v. W. J. Powell Pty. Ltd. . . . .	24 C.L.R. 339 . . . . .	598
Starkey v. Barton . . . . .	(1909) 1 Ch. 284 . . . . .	178
Sterling Trust Ltd. v. Commissioners of Inland Revenue . . . . .	12 Tax Cas. 868 . . . . .	267
Stevens v. Perrett ; <i>Ex parte</i> Perrett . . . . .	(1935) Q.S.R. 207 . . . . .	450
Stevenson v. Watson . . . . .	4 C.P.D. 148 . . . . .	647
Stewart v. Equitable Life Assurance Society of the United States . . . . .	8 N.Z.L.R. 647 . . . . .	348
Stuart-Robertson v. Lloyd . . . . .	47 C.L.R. 482 . . . . .	57
Suche (Joseph) & Co., <i>In re</i> . . . . .	1 Ch. D. 48 . . . . .	199
Sudeley (Lord) v. Attorney-General . . . . .	(1897) A.C. 11 . . . . .	479
Swan v. Bank of Scotland . . . . .	10 Bli. (N.S.) 627 ; 6 E.R. 231 . . . . .	651
— v. Blair . . . . .	3 Cl. & Fin. 610 ; 6 E.R. 1566 . . . . .	651

	PAGE
Sydney Consumers' Milk and Ice Co. <i>v.</i> Hawkesbury Dairy and Ice Society Ltd. . . . .	31 S.R. (N.S.W.) 458; 48 W.N. (N.S.W.) 127 . . . . . 577
Sydney Municipal Council <i>v.</i> Prince Alfred Hospital . . . . .	51 W.N. (N.S.W.) 145 . . . . . 301
Syers <i>v.</i> Syers . . . . .	1 App. Cas. 174 . . . . . 20
Synnon <i>v.</i> Federal Commissioner of Taxation . . . . .	47 C.L.R. 538 . . . . . 267
Synge <i>v.</i> Synge . . . . .	(1894) 1 Q.B. 466 . . . . . 489

## T

Tasmania <i>v.</i> Victoria . . . . .	52 C.L.R. 157 . . . . . 152
Taylor, <i>Ex parte</i> . . . . .	7 S.C.R. (N.S.W.) 407 . . . . . 298
— <i>v.</i> Hamstead Colliery Co. . . . .	(1904) 1 K.B. 838 . . . . . 39
Thomas <i>v.</i> Quartermaine . . . . .	18 Q.B.D. 685 . . . . . 294
— <i>v.</i> Welch . . . . .	L.R. 1 C.P. 192 . . . . . 608
Thomas and Prevost's Application, <i>In re</i> . . . . .	15 R.P.C. 257 . . . . . 601
Thomas (W.) & Co. <i>v.</i> Commissioner of Taxation (W.A.) . . . . .	45 C.L.R. 539 . . . . . 403
Thompson <i>v.</i> Charnock . . . . .	8 T.R. 139; 101 E.R. 1310 . . . . . 653
Thomson <i>v.</i> Federal Commissioner of Taxation . . . . .	33 C.L.R. 73 . . . . . 216, 547
— <i>v.</i> Weems . . . . .	9 App. Cas. 671 . . . . . 641
Tobin <i>v.</i> Hearn . . . . .	(1910) 2 I.R. 639 . . . . . 513
Toms <i>v.</i> Wilson . . . . .	4 B. & S. 442; 122 E.R. 524 . . . . . 648
Toppin <i>v.</i> Lomas . . . . .	16 C.B. 145; 139 E.R. 711 . . . . . 480
Toronto Power Co. <i>v.</i> Paskwan . . . . .	(1915) A.C. 734 . . . . . 281
Tramways Case [No. 1] . . . . .	18 C.L.R. 54 . . . . . 148
Trust and Agency Co. <i>v.</i> Markwell [No. 2] . . . . .	4 Q.S.C.R. 50 . . . . . 166
Trustee, <i>Ex parte</i> ; <i>In re</i> Landau . . . . .	(1934) Ch. 549 . . . . . 65
—, <i>Ex parte</i> ; <i>Re</i> Walsh . . . . .	52 L.T. 694 . . . . . 155
Trustee of Lord Hill <i>v.</i> Rowlands . . . . .	(1896) 2 Q.B. 134; 3 Mans. 136 . . . . . 155
Trustees, Executors and Agency Co. <i>v.</i> Federal Commissioner of Taxa- tion . . . . .	49 C.L.R. 220 . . . . . 561
Tunney <i>v.</i> Midland Railway Co. . . . .	L.R. 1 C.P. 291 . . . . . 282
Turner <i>v.</i> Ambler . . . . .	10 Q.B. 252; 116 E.R. 98 . . . . . 353
— <i>v.</i> General Motors (Australia) Pty. Ltd. . . . .	42 C.L.R. 352 . . . . . 575

## U

Union Bank of London <i>v.</i> Ingram . . . . .	16 Ch. D. 53 . . . . . 168
Union Steamship Co. of New Zealand <i>v.</i> Robin . . . . .	(1920) A.C. 654 . . . . . 44
United States <i>v.</i> Tingey . . . . .	30 U.S. 115 . . . . . 328
United States Glue Co. <i>v.</i> Town of Oak Creek . . . . .	247 U.S. 321; 62 Law. Ed. 1135 . . . . . 544
United Telephone Co. <i>v.</i> Harrison, Cox-Walker & Co. . . . .	21 Ch. D. 720 . . . . . 599
Upperton <i>v.</i> Ridley . . . . .	(1903) A.C. 281 . . . . . 59

## V

Vanneck <i>v.</i> Benham . . . . .	(1917) 1 Ch. 60 . . . . . 486
Venafra <i>v.</i> Johnson . . . . .	10 Bing. 301; 131 E.R. 920 . . . . . 347
Venkatadri Appa Row <i>v.</i> Parthasarathi Appa Row . . . . .	L.R. 48 Ind. App. 150 . . . . . 173

		PAGE
Vickers, Sons & Co. v. Siddell . . . . .	15 App. Cas. 496 . . . . .	609
Victorian Stevedoring and General Contracting Co. Pty. Ltd. and Meakes v. Dignan . . . . .	46 C.L.R. 73 . . . . .	225
Vynior's Case . . . . .	8 Co. Rep. 80a; 77 E.R. 595 . . . . .	653

## W

Wadham's Application, <i>In re</i> . . . . .	27 R.P.C. 172 . . . . .	600
Wakelin v. London and South Western Railway Co. . . . .	12 App. Cas. 41 . . . . .	277
Wallace v. Fogarty . . . . .	(1926) I.R. 255 . . . . .	176
Wallwork v. Fielding . . . . .	(1922) 2 K.B. 66 . . . . .	231
Walsh, <i>Re</i> ; <i>Ex parte</i> The Trustee . . . . .	52 L.T. 694 . . . . .	155
Walsh and Johnson, <i>Ex parte</i> ; <i>In re</i> Yates . . . . .	37 C.L.R. 36 . . . . .	504
Walters v. White . . . . .	116 L.T. 377; 33 T.L.R. 154 . . . . .	167
W. & A. McArthur Ltd. v. Queensland Ward v. British Oak Insurance Co. . . . .	28 C.L.R. 530 . . . . .	543
Waterside Workers' Federation of Australia v. Commonwealth Steamship Owners' Association . . . . .	(1932) 1 K.B. 392 . . . . .	198
— v. Gilchrist, Watt & Sanderson Ltd. . . . .	28 C.L.R. 209 . . . . .	95, 118
Watt's Case (Commissioner of Stamp Duties (N.S.W.) v. Perpetual Trustee Co.) . . . . .	34 C.L.R. 482 . . . . .	118
Watts, <i>In re</i> ; Cornford v. Elliott . . . . .	38 C.L.R. 12 . . . . .	479
Weiler v. Weiler . . . . .	28 Ch. D. 947 . . . . .	481
Western Australian Timber Workers' Industrial Union of Workers (South West Land Division) v. Western Australian Sawmillers' Association . . . . .	25 C.L.R. 109 . . . . .	528
Whatmore v. Council of the Municipality of St. Peters . . . . .	43 C.L.R. 185 . . . . .	666
Whitehead, <i>Ex parte</i> ; <i>In re</i> Whitehead . . . . .	43 W.N. (N.S.W.) 184 . . . . .	301
Whybrow & Co., <i>Ex parte</i> ; R. v. Commonwealth Court of Conciliation and Arbitration . . . . .	14 Q.B.D. 419 . . . . .	22
Wicks, <i>Ex parte</i> ; <i>In re</i> Wicks . . . . .	11 C.L.R. 1 . . . . .	93, 119
Willans v. Taylor . . . . .	17 Ch. D. 70 . . . . .	57
Willard v. Rawson . . . . .	6 Bing. 183; 2 B. & Ad. 845; 130 E.R. 1250 . . . . .	347
Williams v. Birmingham Battery and Metal Co. . . . .	48 C.L.R. 316 . . . . .	508
— v. Burgess . . . . .	(1899) 2 Q.B. 338 . . . . .	276
— v. Melbourne Corporation . . . . .	10 A. & E. 499; 113 E.R. 189 . . . . .	480
— v. The King [No. 1] . . . . .	49 C.L.R. 142 . . . . .	453
— v. — [No. 2] . . . . .	50 C.L.R. 536 . . . . .	190
Williamson v. Ross and Atkins . . . . .	50 C.L.R. 551 . . . . .	190
Williamson (J. C.) Ltd. v. Lukey and Mulholland . . . . .	(1933) N.Z.L.R. (Supp.) 186 . . . . .	512
Wilson, <i>Ex parte</i> ; <i>In re</i> Athlumney . . . . .	45 C.L.R. 282 . . . . .	577
— v. Mitchell . . . . .	(1898) 2 Q.B. 547 . . . . .	199
— v. United Counties Bank Ltd. . . . .	17 W.A.L.R. 169 . . . . .	349
Wingate's Patent, <i>In re</i> . . . . .	(1920) A.C. 102 . . . . .	346
Winstone v. Mehaffy . . . . .	(1931) 2 Ch. 272 . . . . .	611
Wood v. Benson . . . . .	(1917) N.Z.L.R. 956 . . . . .	480
Woolworths Ltd., <i>Ex parte</i> ; R. v. Comptroller-General of Customs . . . . .	2 C. & J. 94; 149 E.R. 40 . . . . .	478
Wren v. Bank of New Zealand . . . . .	53 C.L.R. 308 . . . . .	323
	9 A.L.J. 38 . . . . .	655

XXVI.	CASES CITED.	[1935.
		PAGE
Wrigley <i>v.</i> Gill . . . . .	(1905) 1 Ch. 241; (1906) 1 Ch. 165 . . . . .	166, 174
W. Thomas & Co. <i>v.</i> Commissioner of Taxation (W.A.) . . . . .	45 C.L.R. 539 . . . . .	403
<b>Y</b>		
Yates, <i>In re</i> ; <i>Ex parte</i> Walsh and Johnson . . . . .	37 C.L.R. 36 . . . . .	504
Yorkshire Insurance Co. <i>v.</i> Campbell (1917) A.C. 218 . . . . .		642
Young, <i>Ex parte</i> ; <i>In re</i> Kitchin . . . . .	17 Ch. D. 668 . . . . .	649
_____, <i>In re</i> ; Young <i>v.</i> Young . . . . .	29 T.L.R. 391 . . . . .	22
<b>Z</b>		
Zachariassen <i>v.</i> The Commonwealth . . . . .	24 C.L.R. 166; 27 C.L.R. 552 . . . . .	315

---

## CORRIGENDA.

---

Vol. 52.

Page 527.—In line 14, for “arguments” read “agreements”.

Page 686.—In line 10, after “question” insert “he”.