## Volume 44

[1985] C.L.J.

Part 3

# THE CAMBRIDGE LAW JOURNAL

## November 1985

Set-off and Agency S. RORY DERHAM

Beyond O'Reilly v. Mackman: the Foundations and Nature of Procedural Exclusivity

C. F. FORSYTH

Hohfeld's Conceptions: from Eight to Two A. K. W. HAPLIN

Easements: Positive Duties on the Servient Owner? A. J. WAITE

A. J. WAIIE

For full contents see back cover

CAMBRIDGE UNIVERSITY PRESS

FOR THE FACILLAY OF LAW UNIVERSITY OF CAMPBIDOF

#### THE CAMBRIDGE LAW JOURNAL

#### EDITORIAL COMMITTEE

L. S. Sealy, Ph.D., Editor M. A. Clarke, M.A., LL.B., Ph.D., Secretary and Treasurer Professor J. A. Jolowicz, M.A., Note Editor Professor D. G. T. Williams, M.A., LL.B., Note Editor Professor Glanville L. Williams, Q.C., LL.D., F.B.A. J. H. Baker, LL.D., F.B.A. J. G. Collier, M.A., LL.B., Note Editor J. C. Hall, M.A., LL.B., Note Editor R. J. C. Munday, M.A., Ph.D., Book Review Editor B. W. Napier, Ph.D., Note Editor M. J. Prichard, M.A., LL.B. J. W. A. Thornely, M.A.

#### SUBSCRIPTIONS 1985

One volume of *The Cambridge Law Journal* is published each year. Each volume is in three parts, published in March, July and November. The subscription price of Volume 44 is £19.00 net (US \$53.00 in the USA and Canada), including postage, and is payable in advance. Reduced rate subscriptions are available to members of the Society of Public Teachers of Law and the Association of Law Teachers, law students and recently qualified lawyers. Details may be obtained from the publishers. Single parts cost £8.50 net (US \$24.00 in the USA and Canada) plus postage. Orders may be sent to any bookseller or subscription agent or to Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 2RU, or in the USA and Canada to Cambridge University Press, ;32 East 57th Street, New York, NY 10022.

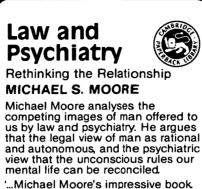
#### BACK VOLUMES

All back volumes are kept in print hardbound and may be purchased at the prices shown below. A discount of 10% is given on a single order for 25 or more volumes.

<b>Nois</b> , 1–11 (1921–1953)	
cone volume of 3 parts every 3 years	£25-00 per volume
Vols. 12-30 (1954-1972)	
one volume of 2 parts every year	£21.50 per volume
Vol. 31 (1972) Jubilee Issue	
including Index 1921-1970	£25.00 per volume
Vols. 32-43 (1973-1984)	
the volume of 2 parts every year	£21.50 per volume

#### ADVERTISING

Details of advertising in the *Journal* may be obtained from Cambridge University Press.



"...Michael Moore's impressive book. A reflective reconsideration of the relationship between psychiatry and the law is evidently called for and he splendidly provides it'

The Times Higher Education Supplement

Hard covers £35.00 net Paperback £11.95 net

#### CAMBRIDGE UNIVERSITY PRESS

## Titles in Cambridge Studies in International and Comparative Law: New Series

#### The Legal Regime of Foreign Private Investment in the Sudan and Saudi Arabi

A Case Study of Developing Countries

#### F. A. EL SHEIKH

The author examines the way in which foreign investment is treated and protected in the two countries.

'The really strong point of this work is Dr El Sheikh's impressive knowledge of the Sudan's legal system – which makes his work essential reading for any international lawyer or foreign company dealing with potential investments in the Sudan.' Arab Gulf Journal \$40.00 net \$40.00 net \$40.00 net \$100.00 net

### Non-appearance before the International Court of Justice

#### H. W. A. THIRLWAY

A striking feature of the proceedings in the majority of cases before the International Court of Justice since 1971 has been the absence from the courtroom of the state against which the proceedings have been brought. In this book, the first general study of the question to appear for over twenty years, the phenomenon is studied in the light of the statute and of the fundamental concepts and principles of international judicial procedure. **£25.00 net** 

## CAMBRIDGE UNIVERSITY PRESS

## UNIVERSITY OF CAMBRIDGE

## MEDICO-LEGAL STUDIES: ESSAY PRIZES

Ver Heyden de Lancey prizes, 1986, of between £500 and £4,000 are offered for substantial essays in medico-legal studies by graduates of the University of Cambridge with a professional qualification in medicine (including dentistry) or in law. Prior approval of subjects is required. Further details from: University Registry, The Old Schools, Cambridge CB2 1TN.