

# Leading Cases in Song: A Lawyer's Companion

By Stephen Todd, with illustrations by Murray Nicol  
and musical arrangements by John Pattinson

*My Lords, we make a claim today  
'Bout the making of a bargain  
The plaintiff read and did obey  
A poster's specious jargon  
She used the ball but caught the flu  
And met the stipulation  
And from this court she claims her due  
In merited compensation.*

**NO PRIZES FOR GUESSING: CARLILL V**  
*Carbolic Smoke Ball Co* [1893] 1 QB 256. And if you know the music of Gilbert and Sullivan, you can sing it to the tune "When I Good Friends Was Called to the Bar" from *Trial by Jury*. (Gilbert had a brief and unsuccessful career as a barrister and legal themes abound in his lyrics).

Professor Todd, author or co-author of some of New Zealand's leading legal texts, has produced a thoroughly entertaining collection of songs based on well-known cases and set to tunes from Gilbert and Sullivan operas. Murray Nicol enhances the text with delightful illustrations and John Pattinson arranged and adapted the music (the second half of the book has full musical scores).

Four of the cases have been turned into mini operas, comprising several songs: *Mrs Carlill and the Amazing Carbolic Smokeball*, *Very Private Lives* (two English breach of confidence cases involving Naomi Campbell and Max Mosley), and – perhaps the most well-known case of them all – *Donoghue v Stevenson*.

The book had its genesis in a song about the snail in a bottle case which Stephen Todd wrote for a University of Canterbury Law Revue over 20 years ago. Its success, along with subsequent attempts, has led him to produce this unique addition to New Zealand legal literature.

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## Reviewed by Geoff Adlam

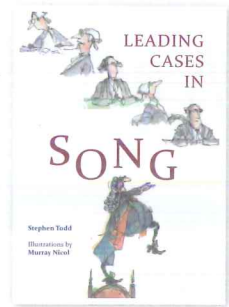
Professor Todd's interests in tort and contract show in the 20 cases which are the subject of his lyrics. He says his criteria for choosing suitable decisions was that they should be entertaining, interesting, odd or bizarre. It was also important that the case was not boring, offensive or tragic. He has achieved this admirably. It's a book to read and sing (or hum) along to with a smile on your face.

Most of the cases are English, with a scattering of decisions from the Land of Torts, the United States. It would have been nice to have a New Zealand case or two, and the author does say he would welcome suggestions from readers.

Highly recommended to anyone who has seen the amusing side of some of the fascinating situations which have made it to court, who enjoys the music of Gilbert and Sullivan, and who wants to chuckle again at some of the cases which have helped create our common law.

Let's close with an extract from "All of Human Action", which looks at the 1928 US case *Christy Bros Circus v Turnage* where

(in the words of the judge) a dancing horse "evacuated its bowels" onto the lap of a spectator. To the music of "When Frederic Was a Little Lad" from *The Pirates of Penzance*:



*The plaintiff had a ringside view, a dancing horse before her*

*When suddenly the horse was caused to back its rump toward her*

*Disaster struck, upon her lap there fell, with aim unerring*

*A substance, odoriferous, much laughter this incurring*

*The point of law – did action lie for mental consternation?*

*The answer? – yes, was harming her by inj'ry to her person.*

*Leading Cases in Song: A Lawyer's Companion*, Brookers Ltd, December 2013, 978-0-86472-844-9, 228 pages, hardback, \$50.00 (GST and p&h excluded).

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