

ous. A thing adjacent to another, however, is certainly not always one to which the word "adjoining" can strictly be applied, which word has, in the absence of some special reason, usually been held to mean actually contiguous. As was said in the judgment of the Judicial Committee of the Privy Council in the case of *City of Wellington v. Borough of Lower Hutt*, 91 L.T. Rep. 539; (1904) A.C. 773, "adjacent" is "not confined to places adjoining, and it includes places close to or near." The judgment added: "What degree of proximity would justify the application of the word is entirely a question of circumstances." And an illustration of that appears from the case of *Kimberley Waterworks Company, Limited v. De Beers Consolidated Mines, Limited*, 77 L.T. Rep. 117; (1897) A.C. 515. There it was held that a mine situate four miles distant from another was not "adjacent" thereto, even in the wide region of South Africa.

The right conclusion seems to be that "adjacent" is applicable to objects lying near to, but not necessarily in actual contact with, each other; while "adjoining" generally means lying near to, so as to touch in some part. In short, that word may be said to be almost identical with "contiguous," except, perhaps, as to the larger extent of the contact which is involved in the latter. At the same time, the interpretation must inevitably depend on the context in the document in each particular case. As is shewn by the authorities, the context may require a wider meaning to be attached to the word in some instances than in others. Thus, in *Re Lady Bateman and Parker's Contract*, 80 L.T. Rep. 469; (1899) 1 Ch. 599, a piece of land agreed to be sold as an addition to an existing churchyard, but separated therefrom by a public highway about twenty feet wide, was held by Mr. Justice Kekewich to be "adjoining to an existing churchyard," within the meaning of s. 1 of the Consecration of Churchyards Act, 1867 (37 & 31 Vict. c. 133). The learned judge purposely refrained from defining the meaning of "adjoining" in the section, because as his Lordship remarked if he were to try to do so, his definition would probably be more or less inaccurate, like most definitions. He contented himself with saying that, in the case