

together with annotations and a commentary. It is in comparatively small compass; it does not, unlike *Quick and Garran*, give a history of the events leading up to the enactment of the constitution; the examination of particular provisions does not include discussion of *travaux préparatoires* such as the proposals of the Reid Commission, and the examination and discussion of comparable provisions in other federal and quasi-federal constitutions is laconic and very selective.

From the form of the work it is apparent that Professor Sheridan intended it to have a distinctively practical value and purpose, which is to provide a guide to the constitution and its interpretation for lawyers and judges in Malaya. That Professor Sheridan has found time to do this while he has been fully extended in establishing the Law School of his University is a tribute to his energy and sense of purpose.

The book will also repay study by students of federal constitutional law and government elsewhere. Australia made some contribution to constitution-making in Malaya; Sir William McKell was a member of the Reid Commission and there is evidence of study of Australian precedent in the text of the Malayan instrument.

One of the most interesting provisions of a general character in the Malayan constitution is Article 4 (3) which provides that the validity of any law made by the Central or by any State legislature shall not be challenged as *ultra vires* except (a) if the law was made by the Central parliament, in proceedings between the Federation and one or more States; (b) if the law was made by a State legislature, in proceedings between the Federation and that State. When one has regard to the course and procedures of judicial review in Australia, it is obvious that this drastically restricts judicial review, and the scope and operation of the clause is examined in an interesting note by the author (pages 6-9). He argues very plausibly for a restricted interpretation of the clause so as to allow some scope for constitutional challenge by individuals, notably in cases where fundamental liberties have been infringed.

Within a modest compass, Professor Sheridan has performed a very useful task both for the legal profession of Malaya and for students of federal constitutional law generally.

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Snell's Principles of Equity, by R. E. MEGARRY, Q.C., M.A., LL.D., and P. V. BAKER, B.C.L., M.A., 25th ed. (Sweet & Maxwell Ltd, London, 1960), pp. i-cxxxvi, 1-642. Australian price £3 10s.

The earlier editions of *Snell* have established it in England as a leading student's textbook which is also well thought of by practitioners and the courts. It deals with a large proportion of the wide range of subject-matters in respect of which courts of Equity have made a contribution in the course of the development of the English legal system. This broad pattern has been maintained in the present edition which includes chapters on such subjects as mortgages, pledges and liens, suretyship, penalties and forfeitures, persons under disabilities, set-off and appropriation, administration of assets (including a treatment of *donationes mortis causa*) in addition to those dealing with what might be described as the solid core of equity: equitable maxims and doctrines, trusts and trusteeship, and equitable remedies.

As is to be expected, having regard to the calibre of the editors, this edition maintains the high standard of its predecessors. The text is clear and concise with sufficient illustrative material to sheet home the main points of the discussion without confusing the tyro with too much detail. Brevity has been achieved without sacrificing accuracy since, on points of difficulty, the editors having fairly expressed their own opinion, give references to the discussions in the law journals. Case citations appear to be comprehensive. The book has an excellent index as well as complete tables of cases and statutes.

As with any English textbook the Australian reader needs to be on his guard against being misled as a result of the divergences between English law and the law of the state with which he is concerned. In some instances, English statutes will have no counterpart in his state; for example, some of the changes brought about by the 1925 reforms in the land law; in others, statutes have been passed here which have no English counterparts, such as in Victoria, section 131 and section 163 of the Property Law Act 1958 dealing with charitable trusts. Notwithstanding this kind of difficulty, *Snell* is a useful book for the Victorian reader since the basic principles of the law are the same here and in England.

Law teachers will differ amongst themselves on the question whether students should use textbooks at all, in subjects taught by reference to a casebook. This reviewer's own opinion is that the bird's eye view of his subject which can be had by reading a good textbook is of real value to the student. *Snell* could serve this purpose for the Melbourne student in Equity and could also serve the purpose of providing background material which the teacher proceeding by case-method often must take for granted. It will also be of value in connection with the Melbourne course in Law relating to Executors and Trustees, and to some extent in relation to Mercantile Law and Conveyancing.

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BOOKS NOTED

Manual of Legal Citations, Part II: The British Commonwealth (Institute of Advanced Legal Studies, London, 1960), pp. i-xiii, 1-89. Price not stated.

This book is the second part of a manual compiled by the Institute of advanced legal studies with the purpose of facilitating the uniform citation of legal sources and to assist in the identification of unfamiliar abbreviations in the more than one hundred jurisdictions of the Commonwealth. The anachronism appearing in the title 'British Commonwealth' can be readily seen from the Index comprehensively setting out the diverse countries and territories which now comprise the Commonwealth of Nations. Inaccuracies in the Index as the result of the development of the Commonwealth—the withdrawal of South Africa and the attaining of independence by African and other Territories at present listed as Colonial possessions, in no way detracts from the usefulness or accuracy of the Manual. In the ever-expanding Commonwealth it is impossible for any reference work to provide a completely accurate

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