

the inclusion of only three New Zealand case extracts in a total of 140 is disappointing. Cases such as *Reporoa Stores Ltd. v. Treloar* [1958] N.Z.L.R. 177, *Willetts v. Ryan* [1968] N.Z.L.R. 863, *Coffey v. Dickson* [1960] N.Z.L.R. 1135, and *Wilkins & Davies Construction Co. Ltd. v. Geraldine Borough* [1958] N.Z.L.R. 985 provide excellent material for a tutorial. There is room for a considerable divergence of opinion as to what the House of Lords did decide in the *Suisse Atlantique* case ([1967] 1 A.C. 361), but not all would agree with the proposition that Mr Collinge has extracted (pp. 145, 146). It is not clear what the author intended to accomplish by including *Nagle v. Feilden* [1966] 2 Q.B. 633 in a book dealing with contract, even though it appears under the heading "Non Contractual Restraints". There was no question of a contract in *Nagle v. Feilden*, as Salmon L.J. emphasised (*ibid.*, 652). A teacher would need to make clear to his class the purpose of this section if confusion is to be avoided.

*Tutorials in Contract* is none the less an excellent production which one can recommend to any teacher. It will save him hours of preparation.

A. C. Holden

CRAIES ON STATUTE LAW, by S. G. G. Edgar, C.B.E., M.A. (Cantab.). Seventh edition. London. Sweet & Maxwell 1971. cxix plus 640 pp. (including index). New Zealand price \$27.30.

This new edition of Craies on Statute Law has been prepared by the same editor who produced the previous edition in 1963. The new version is very similar in approach and method to its predecessors.

The merit of Craies has always been in its attempt to deal with principle and to draw out, though often by liberal quotation from the cases rather than by the author's own analysis, the rationale of the rules it discusses. Its original author and successive editors have sought to achieve more than a mere wilderness of single instances. The present edition adequately updates, by reference to appropriate cases decided since 1963, the illustrations and applications of the principles that the earlier editions had stated. The task of bringing up to date appears to have been thoroughly and accurately carried out.

By the time the next edition (which will undoubtedly be called for in due course) comes to be written, greater changes may however be needed. The first edition appeared in 1907, though it was founded upon an earlier work, *Hardcastle on Statutory Law*, which had appeared as early as 1879. Perhaps the time has come when a more severe pruning of some of the older cases might be advantageous. More importantly however, there appeared in 1969, as Mr Edgar notes in his preface, the joint report of the English and Scottish Law Commissions on the Interpretation of Statutes. The adoption of their recommendations would call for changes in the judicial approach to statute law. The Commissioners' basic conclusions, in the form in which they are summarised in the report itself, are quoted by Mr Edgar on page vi, and he notes that in a few cases individual judges have indicated views which are in sympathy with some at least of the recommendations. Notable among these instances is *Letang v. Cooper* [1965] 1 Q.B. 232 in which Lord Denning

expressed a readiness to look at Committee reports which preceded legislation (though not at the actual recommendations of the Committee) as part of the process of using the legislative history of an Act as a guide to interpretation.

With the continuing growth of statute law the proportion of reported cases which turn upon problems of interpretation has been, as has often been noted, markedly on the increase. In the search for guidance and rational justification of their decisions the courts must continue, whatever changes of approach may come about in the future, to search for and apply intelligible principles of interpretation. This edition of Craies is likely to continue to meet such needs as it has in the past.

P. B. A. Sim

**CASES AND MATERIALS ON AUSTRALIAN FAMILY LAW**, by David Hambly and J. Neville Turner. Law Book Co. Ltd., Australia. 1971. xxiii and 656 pp. (including index). New Zealand price \$13.50.

The important changes wrought in New Zealand family law in the past decade with the passing of the Matrimonial Proceedings Act, 1963 and the Matrimonial Property Act of the same year and the Domestic Proceedings Act 1968 have centred attention on what at times has been an area of law which received scant attention. Although there have been various new editions of the standard New Zealand text books none has gone so far as this volume in its enlightened approach towards the subject and this provides it with an important role in the New Zealand scene although it is fundamentally Australian legislation which is dealt with.

In addition to a full and interesting presentation of the relevant Australian statutes and the cases thereon this book deals with various fundamental issues which have received little attention in the past. This is particularly so in the first chapter dealing with the lawyer, his role and responsibility in matrimonial cases, but it continues throughout the book with discussions of reform, conciliation and other important issues with which the student, practitioner and academic is continually confronted, and yet which are often ignored because of their open ended nature. The increasing respect which is being accorded to Australian decisions and particularly those of the High Court of Australia within this country, means that the cases in the book are of direct relevance within this jurisdiction, and of course many of the classic English decisions upon which we rely, being relevant also within Australia, are set out and commented on in an invaluable way.

As it has become apparent with the passage of time that the recent New Zealand legislation referred to earlier has not necessarily been interpreted by our courts so as to completely fulfil what appeared to be the intention of the legislature, the importance of this work in the comparative field cannot be underestimated. If the general principles of the Matrimonial Property Act 1963 are not to be narrowed away from the interpretation which they were originally considered to have prior to the decision of the New Zealand Court of Appeal in *E. v. E.*