

could not have foreseen in 1896. The editors have concisely dealt with this wealth and have not hesitated to change the text of the Rules, if necessary. The documentation gives a very comprehensive picture of the authorities on any given point.

Possibly one of the parts that must have been hardest to edit was Dicey's Introduction, which developed the theory of vested rights. Parts of Dicey now appear rather old-fashioned in view of modern writing. The difficult subjects of characterisation and *renvoi* are competently handled by J. H. C. Morris, but the reviewer must repress the temptation to adventure into these fields.

R. S. Welsh deals with legitimacy and legitimation, subjects to which he had already contributed. Kahn-Freund on Contracts is particularly valuable and contracts of carriage and marine insurance can be considered in a way that would be inappropriate in Cheshire. The space allotted to Torts is rather small, but Zelman Cowen criticises *Phillips v. Eyre*¹ and also refers to the Australian cases of *Varawa v. Howard Smith & Co.*² and *Musgrave v. The Commonwealth*.³

The Editor and his team are to be congratulated on the result; the defects of the work are due to the original plan of Dicey into which it is not always possible to fit the modern law. One can sympathise with the Editor who confesses that he laid down his task with relief, but he has earned the respect both of teachers and practitioners.

G.W.P.

1. (1870) L.R. 6 Q.B. 1.
2. [1910] V.L.R. 509.
3. (1937) 57 C.L.R. 514.

History and Sources of the Common Law, Tort and Contract: by C. H. S. FROOT, of the Middle Temple, Barrister-at-Law, Fellow of Hertford College, Oxford: London: Stevens & Sons Ltd.: 1949: pp. xvii, 446.

This is a most interesting and useful work, designed primarily for students, but there will be few practitioners who would not derive benefit from it. Each chapter is introduced by a short and penetrating narrative and then the original sources are reproduced. The author does not claim to have studied the mss., but he has surveyed diligently both the printed sources and modern critical work upon them. If the work is tested by one interested in any particular field, he will be amazed at how much material is presented in a short space. The reviewer has been working on the law of bailment and the few pages devoted to this topic contain the authorities ancient and modern and a very clear summary of the diverse views of the various writers. The book is not a mere summary of longer works: it shows independence, originality and a gift for elucidating the obscure. It is not, of course, intended as the only text-book for the student, but it will be of great service in making accessible in a well-printed volume what otherwise would be rather difficult to find.

The chapter on Trover and Conversion is particularly good. The writer emphasises the ambiguity in the pleading in trover, that the plaintiff was possessed of the goods as of his own property : at first it was not clear whether this was an allegation of possession or ownership. Account is an action that is inadequately discussed by many books on legal history. Fifoot traces the action from 1200 in the narrative and then ten cases are reprinted so that the reader can fully understand the development.

In reviewing Windeyer's *Lectures on Legal History* in 1939, Fifoot stated that if the former accepted the challenge to give us that single volume on the history of doctrine for which we are all waiting, he would earn the gratitude of many students. Fifoot has now pre-empted that claim for himself by producing such a well-written and fascinating volume.

G. W. P.

A Lawyer Tells, by P. A. JACOBS, pp. 155 and Index. 1st Edition. 1949. F. W. CHESHIRE.

This is a book which can be recommended without hesitation to lawyers and laymen alike. Those of us who have already made the acquaintance of *Famous Australian Trials* and *Judges of Yesterday* will find that in this, his latest work, the learned author's capabilities are again displayed to the full.

In a foreword, Mr. Jacobs apologises for the autobiographical nature of his book, but the submission that "the true flavour of reminiscence is to be found in one's awareness of events in relation to oneself; and that the pattern of interpretation is best understood and appreciated when seen against the personal background of the interpreter" is adequately supported by the absorbing material which follows.

Called to the Bar in 1895, the author has been personally acquainted with the majority of those members of the Bar who have been elevated to the High Court Bench and the Victorian Judiciary. He was also the friend of such legendary figures as Purves, "the great Q.C.," while among his laymen associates were numbered Sir John Monash, Bernard O'Dowd and Walter Murdoch. Mr. Jacobs's earliest recollections are of Melbourne in the last decades of the nineteenth century, but the anecdotes so readily called to mind are ageless, for, in addition to a prolific memory, the author has the rare gift of being able to select just such incidents as are of interest to all generations. In a few words, the names which grace our reports live again. Professors Jenks and Harrison-Moore are recreated and become much more than mere text-book nomenclatures. A rich variety of subject matter is evidenced by such chapter titles as (chosen at random) "On Stage and Off," "Standing for Parliament" and "A Trip to the Underworld."