

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."

The only major criticism of *A Lawyer Tells* is that it is far too short. The learned author's personal knowledge of so much that warrants record and his very readable mode of presentation demand a sequel in the not too distant future.

C. H. FRANCIS.

*Jeremy Bentham and the Law*: A Symposium edited by G. W. KEETON and G. SCHWARZENBERGER: London: Stevens & Sons., 1949, pp. viii, 266.

This volume, written to celebrate the bicentenary of Bentham's birth, provides ample material to shew the many sides of his indefatigable activity. It is impossible to review such a work by discussing the thesis of each of thirteen writers. The work is well written, interesting and packs much into small space. The editors are to be congratulated both upon the plan and its execution.

Professor Jolowicz opens with the question Was Bentham a lawyer? His negative thesis is that Bentham was not a lawyer in one sense because he had no sympathy for, and an insufficient understanding of, legal technique, involving as it does some measure of submission to authority and the employment in some measure of traditional material. Positively, however, Bentham was something other than a lawyer and could succeed where others failed precisely because he brushed aside all conventional explanations. Dr. Margery Fry discusses his influence on English penal reform and the courage he shewed in attacking the death penalty when it was almost universally accepted. Bentham would be disappointed that no criminal code has yet been produced in England. His ambitious scheme for a model prison—the *Panopticon*—failed to materialise: later Bentham received £23,000 from the State as recompense for his works. Dr. Zagday writes on Bentham and the poor law, and Professor Keeton on his influence on the law of evidence. Professor Graveson chooses the apt title *The Restless Spirit of English Law*.

R. C. Fitzgerald emphasises that many of the parliamentary problems which caused perturbation to Bentham are still unsolved at the present time. Dr. Schwarzenberger discusses his contributions to international law and organisation. Professor Everett (well-known as the editor of Bentham's *Limits of Jurisprudence Defined* which languished in a chest from 1782 to 1945) writes on Bentham's influence in the United States of America. Bentham wrote to the governor of each State sending his works and offering assistance. It was Field, one of the disciples of Bentham, who introduced a new Code of Civil Procedure in New York in 1848 and this was adopted by many other States. Dr. Lipstein deals with Bentham and Foreign Lawyers and Dr. Vesey-Fitzgerald with his influence on Indian codes. An excellent account of Bentham's influence on modern legal thought is given by Professor Friedmann. "Jeremy Bentham, resuming his labours in 1948, would probably be a puzzled and a sad man. He might regard with satisfaction the immense