

"*Ridge's Constitutional Law.*" Eighth Edition. Edited by G. A. Forrest, pp. xxviii, 550. London. Stevens and Sons, Ltd. 1950.

This edition of Ridge's *Constitutional Law* reflects a considerable amount of rewriting by Mr. Forrest, who in addition to bringing the bulk of the book into line with the many relevant statutes and decisions since the last edition in 1939, has provided entirely new chapters on Administrative Law, Delegated Legislation, Judicial Control of Public Authorities, Actions by and against the Crown, and several other subjects. These new contributions go far towards making the book, primarily oriented to the teaching of Constitutional Law in England, also of service to the Australian practitioner and student. It is, however, essentially a lucid and concise students' textbook. For Australian purposes it is now a more useful work than was the previous edition, being much less concentrated on English Parliamentary, Civil Service, and Local Government practice. The general approach is traditional; for example, in the discussion on Administrative Tribunals only two footnote references are made to the views of Professor W. A. Robson which are nowhere canvassed in the text. But to criticise such a comprehensive work for what it omits is unfair—there is a great deal of well-organized and well-presented information in this book which should be available as a source of reference on a subject far from otherwise adequately served with textbooks.

N.M.

"*Slater's Mercantile Law in Australia.*" Second Edition. Edited by K. D. Hilton, LL.B., F.F.I.A., A.C.I.S., pp. xxiv, 534. Melbourne. Sir Isaac Pitman and Sons, Ltd. 1949. £1.10.0.

According to the preface to this edition, this book is intended primarily for law and accountancy students and business men.

The book ranges over many topics. Commencing with a general view of the law of contract, it proceeds to deal with agency, partnership and companies and then particular commercial contracts comprising sale of goods, negotiable instruments, carriage by land and sea, insurance, suretyship and guarantee. It then covers securities, and in a collection of miscellaneous matters it treats of arbitration, industrial property, shipping, executors and trustees, landlord and tenant and receivers.

Whilst the treatment of the law of contract will be too short for the needs of the law student, he will find certain chapters, such as those on industrial property, useful as a general statement of the law.

Part I of the book, giving a general view of the law of contract, includes a small section on conflict of laws. It is pertinent to question whether accountancy students and business men should be encouraged to believe that they are capable of coping with the problems raised by a transaction containing foreign elements without the assistance of a lawyer. One may well be surprised to find any treatment of conflict of

laws in a work of this kind, but surprise gives way to incredulity when it is found that the rules of private international law applicable to contracts and assignments are stated¹ in little more than the length of a page. Such compression would be admirable if it were comprehensive, but whilst the choice of law rules applicable to assignments of immovables are set out, no reference is made to the choice of law rules appropriate to assignments of movables.

The definition of delivery of a deed in the description of contracts under seal² could be improved by indicating that what is essential to delivery is that the person whose deed it is shall evince an intention to be immediately and unconditionally bound by its provisions.

In dealing with the effect of the *Wills Act* 1928 (Vic.), Section 31, under the heading of lapse of legacy³, no account is taken of the important changes made by the *Wills Act (Amendment) Act* 1947 (Vic.).

In the chapter on executors and trustees there is a statement that trusts may be either charitable or private and although private trusts are then dealt with there is no further reference to charitable trusts. A statement that charitable trusts fall outside the scope of the book would probably clear up any confusion in the reader's mind.

Apart from these defects, the book, being well arranged, clearly written, and amply provided with illustrations from decided cases, should prove a very useful text-book for accountancy students. Its usefulness for the law student is more limited, although in this respect it is only fair to acknowledge that the many references to English and Australian decisions go some way towards making it useful as a reference work.

It is doubtful whether any single text-book designed for the use of accountancy and law students can satisfactorily serve the needs of each type of student. The accountancy student will require merely a clear exposition of the main rules of Mercantile Law without material designed to show why any particular rule takes its present form. After all, the accountant, when he meets difficulties, can consult a lawyer.

But in our common law system and in the present state of our sources, any endeavour by a law student to learn the law as a set of baldly stated rules divorced from a study of legal history, equity, and the judicial process, will, however well implemented, result in an understanding short of that required by the practising lawyer.

It is therefore inevitable that while this book should fulfil its purpose admirably insofar as it is designed for use by accountancy students and business men, it cannot be regarded as a suitable main text-book for law students. In order to fill the latter role it would need greater depth in analysis as well as full discussion of principles and authorities, and if it took this form it would not be useful to the accountancy student.

H.A.J.F.

1. p. 92.
2. p. 4.
3. p. 453.
4. p. 466.