

modern economic conditions on the law of contract, especially with regard to "mass contracts" or "*contracts of adhesion*"; a brief discussion of the Court of Appeal decision in *Combe v. Combe* [1951] 1 A.E.R. 767 which corrects certain misconceptions regarding the *Hightrees* case [1947] 1 K.B. 130 and clarifies one aspect of consideration; the important case of *Victoria Steam Laundry (Windsor) Ltd. v. Newman Industries Ltd.* [1949] 2 K.B. 528, which restates the principles governing remoteness of damages and reduces them to the one criterion—the reasonable anticipation of the defendant in the light of the circumstances known to him (493); the chapter on mistake has been largely re-written, taking in developments such as *Solle v. Butcher* [1950] 1 K.B. 671, though it still remains one of the less satisfactory chapters in the work. The suggestions of equitable intervention in cases of mistake have not been received with universal approbation; the controversy that has raged round *Hyams v. Stuart King* [1908] 2 K.B. 696 (concerning various devices to recover money won on a wager) was laid to rest in *Hill v. Hill* [1949] A.C. 530 (p. 265 et seq), though this may be of "academic" interest only to Victorians if certain proposed legislation eventuates.

It is pleasing to see that overseas cases and articles are being referred to more frequently in English text-books. *R. v. Clarke* (1927) 40 C.L.R. 227, for example, receives a fairly close analysis in the section on the "reward cases". *McRae's* case [1951] A.L.R. 771 is noted, though without discussion, which, I feel, would have been most valuable.

The additional material has increased the number of pages by some fifty or so, but the work retains its virtues of conciseness and clarity. Its stimulating and critical approach makes it a far more valuable work for the student, and its comprehensiveness and "up-to-dateness" should be of service also to the practitioner.

F. P. DONOVAN

*The Law of Wills*, by S. J. Bailey, M.A., LL.M. (Pitman), pp. xlix, 305. Australian price £3.

The fact that this book is published by a house better known for its connection with shorthand than with law may give rise to the belief that the book is a mere manual for will makers, or a very junior "Jarman". This is very definitely not so. The book is one of a series under the general editorship of Dr. G. W. Keeton, Dean of the Faculty of Law at the University College, London, covering the main legal topics which have been affected by the influence of equity. The scope of the volume under review is not confined to the law relating to the making of wills and their interpretation, but extends to the rules relating to the ademption and satisfaction of legacies, the equitable doctrines of conversion, secret trusts, election and satisfaction, the rules against remoteness, and the administra-

tion of the estates of deceased persons. Over eight hundred and fifty cases are referred to and there is a comprehensive index covering some twenty pages.

Generally speaking, the various principles discussed are applicable in Victoria, and since the provisions of the Victorian Wills Act, with the exception of the (new) s. 31, are practically identical with those of the English Wills Act of 1837, as later amended, nearly all that is said as to the statutory provisions regarding the making, revocation, and interpretation of wills applies equally in Victoria. However, other parts of the book need a little editing as regards statutory provisions, and the differences in the provisions of the Victorian Administration and Probate Act, particularly those relating to testators family maintenance and distribution on intestacy, need to be noted.

Since this book is written primarily for the use of law students, this reviewer feels that it might have included a chapter in which the matters to be kept in mind when taking instructions for a will were discussed, and that a few forms of wills might have been given as illustrations of many of the points made. But perhaps such a mixture of theory and practice might be out of place in a work, the main object of which is to discuss the application of equitable principles to a particular aspect of the law.

This is a book which should afford assistance to students throughout the later years of their course, for it discusses topics relevant not only to the subject of Conveyancing, but also to those of Principles of Property, Principles of Equity, and the Law relating to Executors and Trustees.

P. MOERLIN FOX

*Leading Cases in the Law of Banking*, by Lord Chorley, M.A., and P. E. Smart, LL.B., A.I.B. (London, Sir Isaac Pitman & Sons, Ltd., 1953), pp. xxx, 329. Price £2 5s.

This volume must be judged in the light of its admitted aim, which was to meet the needs of the ordinary candidate for the Diploma Examination of the Institute of Bankers (U.K.). Consequently, though it may appear somewhat unsophisticated in form to the senior law student, it would be of inestimable value to one not accustomed to the discipline of case law.

The general plan of the subject matter follows the main outline of Lord Chorley's book on the *Law of Banking* and is both comprehensive and logical. Within each general division, e.g. Relationship of Banker and Customer, the cases are arranged in small groups, each group illustrating a certain principle which is set out at the beginning of the group. The method of dealing with the individual cases has the merits of simplicity and clarity—"a sufficient summary of the facts to enable the student to grasp what it is about; the decision;