

Cussen J. in the Supreme Court in *Davidson v. Chirnside* and returns many times to the charge that the High Court was wrong in taking the contrary view. The practitioner's difficulty however is that he has to live with the decisions of the High Court and a decision which has stood for nearly fifty years and been recently followed must generally be regarded as settling the law, however unsatisfactory one may feel it to be.

A review of decided cases, however knowledgeable and however penetrating, remains a difficult medium and in some respects an unsatisfactory one, and one cannot help regretting that Mr Walker confined himself so strictly to this method and did not go on to set out in a more positive form a statement of the law as it now stands in the light of the authorities. A reading of the cases and of Mr Walker's comments thereon leaves one with no illusions as to the difficulties of that task, but his comments and his final chapter show that he is far better equipped than most to expound the present state of the law, and his readers would have benefited from a re-statement of those views in addition to having them in the form of piecemeal comment on the authorities. While his final chapter goes some way towards meeting this need, it does not wholly do so because, of course, his purpose there is a much more limited one.

The law with regard to stamp duties has been said to be *positivi juris*, it apparently being intended to convey thereby that one must take the words of the relevant statutes as one finds them, without expectation or hope that one may discern any rational scheme or guiding principle. Such a view tends to discourage study of the subject notwithstanding its importance in the everyday practice of the law. Mr Walker's final chapter posts a series of warning notices and thereby draws needed attention to some of the principal problems to be guarded against. All who are concerned with any problem of distribution or rearrangements of trust assets, change of trustees, settlement of disputes as to entitlement to deceased estates and like matters will profit by reading this chapter.

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*Company Law in Victoria*, by R. KEITH YORSTON, S. R. BROWN and H. JACKSON. (The Law Book Co. of Australasia Pty. Ltd., Sydney, 1955), pp. i-xvi, 1-464. Price £2 5s. od. (Our copy from the publishers.)

Mr Yorston and his co-authors have achieved what they set out to do and have done it well. In contemplating a work of this nature they could, with less trouble and thought on their part, have followed one of two courses: (a) to provide a mere annotated copy of the Companies Act 1938 or (b) to publish something tantamount to a *précis* of some well known text-book on company law.

However, they have avoided both these courses and have themselves worked out a scheme whereby their subject matter is grouped

under a series of main headings, and this method has resulted in an easily read and logically arranged work which provides a useful and intelligent summary of the main principles of company law both statutory and otherwise.

The book cannot and does not profess to fulfil all the requirements of the practitioner with an extensive company practice, who must necessarily have recourse to the major text-books with their wide coverage of the whole field of company law in the fullest detail, but it will be of great value to accountants, students and company secretaries.

At least two unusual features are worthy of comment: (a) whatever may be one's personal views on the merits or demerits of Table A the quotation of the various Articles under the relevant subject matter is both original and useful, and (b) the listing of all the offences and penalties of the Companies Act 1938 in an Appendix is of considerable practical value though one cannot escape the thought, seeing the formidable array, that if the list were circulated among company directors, there would be mass resignations or an almost universal demand for higher fees!

A great deal of thought and conscientious effort has gone into the compilation of this book and, apart from obvious limitations inherent in a work of this nature, it is without serious defect.

Should a further edition be published later, as no doubt it will if this book receives the support it deserves, attention might be given to some amplification of the index which, while satisfactory, could be more extensive, and, as a matter of practical use, a graduated scale setting out the fees payable in relation to authorized capital up to the maximum fee of £200 might well be included.

S.W.B.

*Indefeasibility of Torrens Title*, by PROFESSOR W. N. HARRISON (University of Queensland Law Journal, vol. 2 no. 3, p. 206, Brisbane, 1954). Price 7s. 6d. (Our copy from the publishers.)

In this interesting and provocative article Professor Harrison advances his views as to the meaning of the statutory qualifications on the indefeasibility of a Torrens title, and discusses the effect of fraud, the result of the registration of a void instrument, and the position of equities. The article is clearly the result of much research and thought and should be of great interest to serious students of the Torrens System. Professor Harrison does not limit his remarks to the position under Queensland legislation but attempts to deal with the subject on an Australia wide basis. Law students in Victoria may feel that such a general approach has robbed the article of some of its value, since it seems to have resulted in some of the peculiarities of the local legislation being either ignored or mis-stated.

Professor Harrison remarks that the 'paramountcy' section (s. 72