

contract', and 'a representation which does not form part of the contract . . . will not avoid that contract' (page 29), and the instances where dubious propositions are asserted dogmatically without citation of authority to support them—see for example page 26 relating to extrinsic evidence and page 33.

In his preface the author states that his book incorporates the effect of the Transfer of Land Act 1954. This appears to be an overstatement. Thus, on page 128 reference is made to the important section 42 of that Act, but reference to the important sub-section (2) is omitted. One serious criticism of the book is its failure at all times to keep distinct the problems arising in connection with the sale of land according as the subject land is under the General Law or the Torrens System.

I have regretfully come to the conclusion that the publication of this volume was not worthwhile. As an eminent statesman is reported to have said of the English surname 'Bossom': 'Funny name isn't it?—It's neither one thing nor the other!' As a text-book for the student it contributes nothing to the elucidation of legal principles: as a reference book for the busy practitioner, it would, I apprehend, prove neither a safe nor useful guide.

A. D. G. ADAM*

Salmond on Jurisprudence, 11th ed., by Glanville Williams, LL.D. (Sweet & Maxwell Ltd., London, 1957), pp. i-xxix, 1-550. Australian price £2 12s. 6d.

Even were there few significant changes it would be important to note the eleventh edition of this book. Almost from its first appearance in 1902 it became a standard text-book for students, and many of those who sit in the most senior judicial positions in this country were brought up on it. In spite of changes the general character of the book as produced by its author through seven editions is still evident. In the hands of its present distinguished editor, however, the rate of change is increasing. To the reader coming to this book for the first time it will no longer be easy to discern where the views of the original author change into the views of the present editor. Dr Glanville Williams in his preface justifies this by saying:

The policy of treating *Salmond on Jurisprudence* as a text-book of living thought rather than as a dead classic has generally commended itself. But as necessary changes take the text farther from the one left by the author, it becomes more difficult and less useful to attempt to chronicle all the changes. Occasionally I have mentioned, in a footnote, that the author held an opinion different from the one now expressed in the text, and have indicated the reason for the change. But otherwise I have given up the effort which I made in the previous edition to catalogue my additions, omissions and alterations.

There are in fact some substantial changes in the content of the book. Dr Williams has written two new chapters (7 and 8) on the English doctrine of precedent. These chapters deserve much greater comment than is possible in a short note of this kind. Suffice it to say here that they will be of interest and of value to the student of law.

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Another major change is the deletion of most of the chapter which appeared in earlier editions as chapter 5, entitled 'The State'.

On the whole, this edition provides clear support for the editor's policy of treating the book as a text-book of living thought rather than as a dead classic, and justifies his re-moulding of its shape and content. It is hoped that he will be able in later editions to bring other parts of the book up to date as well—for example, chapter 16 on 'Persons' still contains some of the misconceptions which appeared in the earliest editions.

DAVID P. DERHAM

The Remuneration of Commission Agents in Australia and New Zealand, by P. E. JOSKE, Q.C., M.A., LL.M. and JUDGE A. S. LLOYD, E.D., Q.C. 3rd ed. (The Law Book Co. of Australasia Pty. Ltd., Sydney, 1957), pp. i-xii, 1-236. Price £2 10s.

It is not difficult to see why a third edition of this book has been called for. Anybody concerned with the commonly occurring problem of whether an estate or other commission agent has earned his commission would find this book most useful. After explaining the contract of employment, the authors deal with such matters as what constitutes an effective cause of sale, the requirement that the person introduced by the agent should be ready, willing and able to purchase, revocation of authority, the effect or failure of the principal transaction on the agent's claim to commission, the effect of the agent's misconduct, the effect of illegality, and a number of other topics. The authors first present the law in the form of short statements of principle on each of these topics. Each of these statements is followed by a treatment of the authorities. It is as if the authors drew up a code and then annotated it. This mode of treatment probably has the merit of meeting the needs of a lay estate agent, who may readily obtain a general idea of his legal position, while the more esoteric material required by legal practitioners will be found in the annotation. The authors seem to have spared no pains in collecting authorities; in addition to English, Australian and New Zealand decisions there are frequent references to authorities from the Canadian reports. This new edition would seem to be a desirable addition to any practitioner's library.

H. A. J. FORD

The Law of Real Property, by R. E. MEGARRY, Q.C., M.A., LL.B. and H. W. R. WADE, M.A. (Stevens & Sons Ltd., London, 1957), pp. i-lxxxiii, 1-999. Australian price £4 8s.

What manner of men are English law students? The publisher has prophesied that 'students with ambition will find joy in the clarity of this full and authoritative statement of the logical principles upon which the English law of real property rests'. Certainly the reaction of any Australian law student confronted with any text on real property—quite apart from one containing 999 closely printed pages—can be described as joyous only in the rarest of circumstances.

Nevertheless, with one important qualification, it can be said that a student who uses the well-known *Manual*¹ as a basic simple text and the work under review as his book of reference has chosen the best available tools to equip himself with an adequate understanding of the principles of

¹ R. E. Megarry, *A Manual of the Law of Real Property* (2nd ed. 1955)