

ever, expressed his personal views as to how this major problem of Australian industrial relations is to be overcome.

In the federal sphere this book should be both useful and stimulating to all students and others interested in labour problems, but the treatment of State tribunals appears to have been deliberately confined to a mere outline (Chapter V).

The author has referred (page vii) to the interest of overseas students in Australian methods and ways of industrial regulation. The book itself is admirably suited for overseas perusal and indeed appears to have been deliberately, and successfully, compiled in a manner which should provide a clear picture of the Australian industrial system and a basis for comparison with differing practices in other countries.

A. P. AIRD\*

### BOOKS NOTED

*The Law of Torts*, by HARRY STREET, LL.M., PH.D., Professor of Public Law and Common Law in the University of Manchester, 2nd ed. (Butterworth and Co. Ltd, London, 1959), pp. i-lxxxvii, 1-544. Australian price £3. 15s. 6d.

This is the new edition of the book on torts which has quickly taken a place alongside *Salmond* and *Winfield* as a standard work, being, however, more 'modern' in presentation and theory. Professor Street has removed those errors pointed out by less sympathetic reviewers of his first edition, added references to newly decided cases, rewritten the section on economic torts in the light of recent research, and incorporated into his section on occupiers' liability the Occupiers' Liability Act 1957 (Eng.). Whilst Professor Street obviously had no choice but to do this because his is essentially a statement of the law of England, it has not improved the book from the Australian point of view. Little or nothing remains of a statement of the law of occupiers' liability applicable in Australia until we adopt, or accept parts of, the Occupiers' Liability Act. This *lacuna* can, however, be filled by Professor Fleming's treatment of the subject in his work on torts. The remainder of the book is none the less valuable for this failure of Australian law to adapt to the current law of England.

*Companies Act 1958*, by W. E. PATERSON and H. H. EDNIE, B.COM., LL.B. (Hons.), A.A.S.A. (Prov.), (Butterworth and Co. Ltd, Melbourne, 1960), pp. 1-726. Price £6. 2s. 6d.

This book is another of the Butterworth series of annotated Acts.<sup>1</sup> It provides for the lawyer concerned with Victorian company law what the *Digest* provides for the lawyer in a less specialized field. The *Companies Act 1958* is reprinted with all the case law which has annexed itself to the various sections, or their antecedents, set out in detail. It is not a book filled with a stirring theme, but it does contain a wealth of material, which indeed is the only justification that the book professes.

Together with the Companies Act itself, the practitioner will find readily accessible all those regulations which are so important in the practical sense but which are so often hidden from sight. As well as the regulations under the Companies Act there are sections on Stock Ex-

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<sup>1</sup> For a review of the previous book in this series, see (1959) 2 *M.U.L.R.* 282.

change requirements, bankruptcy, stamp duty, office practice, and the Supreme Court Rules under the Companies Act. This is a truly valuable book for the company lawyer.

*Some Comparative Aspects of Irish Law*, by A. G. DONALDSON, LL.B., PH.D. (Duke University Commonwealth-Studies Centre, Durham, N.C., 1957), pp. i-xii, 1-293. U.S.A. price \$6.

In this book, Dr Donaldson seeks to emphasize the comparative aspects of the six topics of Irish law which he has chosen—Irish constitutional history, legal history, its dominion status and international law, recent constitutional developments, administrative law, and its land law. It is an interesting book if not one of vital significance.

*Insurance and Public Policy*, by SPENCER L. KIMBALL (The University of Wisconsin Press, Madison, 1960), pp. i-xii, 1-340. U.S.A. price \$6.

Choosing Wisconsin as the location for his study because records were available and because it is typical of the United States, Professor Kimball has set out to study insurance companies and the laws which have been enacted in that state to protect the public, safeguard their funds, and regulate the companies in accord with the public interest. It is a book which is on that borderline between social science and law.

*Current Law and Social Problems*, edited by R. ST. J. MACDONALD, B.A., LL.B., LL.M. (University of Toronto Press, Toronto, 1960), pp. i-v, 1-204. Canadian price \$5.50.

Although this publication is in book form, it in fact takes the form of a series of papers on problems affecting law and the social sciences. In the rather formidable 'Introductory Statement' by the Editorial Committee, papers are invited (page v) on 'public law and public aspects of private law, jurisprudence and associated philosophy, social and behavioural science, constitutionalism, administration, and juridical international questions'. This invitation sets the ultimate scope of the projected series of which the present is the first volume. Let us therefore see what it does contain. There are interesting articles ranging from a discussion of freedom as a Western idea through a Canadian viewpoint on international copyright control to a policy orientated outline of fishery control building up to a preliminary outline of a study of narcotic drug addiction in Canada. The scope of these articles does seem to live up to the broad invitation of the Editorial Committee. The fault with many of the articles, in particular with that on drug addiction, is that although in a pretentious setting they are little more than a plan for future investigations by the respective authors.

*The Common Law*, by S. K. DAS, M.A., LL.B. (The Malayan Law Journal Limited, Singapore, 1960), pp. 1-28. Australian price 5s. 10d.

This is the reprint, in pamphlet form, of an article appearing in the *Malayan Law Journal* in 1957 prompted no doubt by the article, 'The Migration of the Common Law'.<sup>1</sup> The article discusses the importation of the common law into Malaya and then surveys some recent developments in the English common law. It makes but slight addition to the available literature on the subject.

<sup>1</sup> (1960) 76 *Law Quarterly Review* 39.

*Japanese Occupation and Ex Post Facto Legislation in Malaya*, by S. K. DAS, M.A., LL.B. (The Malayan Law Journal Limited, Singapore, 1960), pp. i-xiv, 1-148. Australian price £2. 5s.

In this short monograph which now appears in book form, having previously been published in two parts in the *Malayan Law Journal*,<sup>1</sup> Mr Das discusses a topic which, although not of immediate interest to the Australian, is of considerably greater importance than that suggested by the title. The aim of the book is to discern any new principle of law in general, or international law in particular, emerging from the chaotic system of law in Malaya left by the imposition of a superstructure of Japanese law on the basic common law of Malaya. The only principle Mr Das has found is that enunciated by Lord Simonds in *Hangkam Kwintong Woo v. Liu Lan Fong*.<sup>2</sup> The other stream of the book is a more detailed discussion of the changes of particular parts of the law, for example that of agency and that of debtors and creditors, by the Japanese and, later, the way in which obligations entered into during the occupation, valid under the then law, were treated at the end of hostilities.

<sup>1</sup> [1958] and [1959] *Malayan Law Journal*.

<sup>2</sup> [1951] A.C. 707.

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