

FAMILY LAW, 2nd Ed. By E. L. Johnson. [London: Sweet and Maxwell. 1965. 357pp. £2.5s.].

The first edition of this book appeared in January 1958. Since then no less than twenty statutes affecting the law of matrimonial causes generally have come into force, examples of which include the Matrimonial Causes (Property and Maintenance) Act, 1958; the Matrimonial Proceedings (Children) Act, 1958; the Matrimonial Orders Act, 1958; the Divorce (Insanity and Desertion) Act, 1958; the Mental Health Act, 1958; the Legitimacy Act, 1959; and the Marriage (Enabling) Act, 1960 as well as numerous amendments to the Matrimonial Causes Rules, 1957. Further, the former statutes dealing with matrimonial proceedings in Magistrates Courts have been repealed and the law consolidated and amended in the Matrimonial Proceedings (Magistrate's Courts) Act, 1960. Case law has indeed been extensive and many decisions affecting this branch of the law have been reported during the last few years. However, all this new law appears to have been accurately incorporated in this new edition and the necessary changes and adaptations of the old text made.

While it is true that much rewriting has been undertaken by the author the general plan of the book has been greatly preserved. In essence, Mr. Johnson's book sets out to provide a general introduction to the average student. His statement from the Preface to the first edition " . . . . I have . . . . written primarily for the student", applies equally to this second edition. In this aim, Mr. Johnson is remarkably successful, for the work as a whole is well arranged and clearly written. The Chapters (Part Two, Chapters 4, 5 & 6) dealing with the property rights of husband and wife are noteworthy in that they provide an excellent outline of this difficult topic, and it is evident that the author has taken considerable care with them. After

a brief historical introduction the author describes the development of the transition of the law from the time when a married woman was incapable of owning, acquiring or disposing of property to the enactment of modern legislation which has to date established virtual equality between husband and wife in their ability to hold property independently of the other. This was done in a very logical manner. The author's comments are often original and highly illuminating, as, for instance, that it might be possible to revive a modern "John Doe" in order to enable a husband to sue his wife in ejectment.

The most outstanding feature and change made in this new edition is that the part of the Introduction in the first edition which dealt with the jurisdiction of the English Courts in family law cases has now been removed to the Chapter on Conflict of Laws. To the reviewer, it is thought that this gives the subject a much broader scope and together with the citations of new case-law authorities the author has presented the topic intelligibly to the reader.

Regarded as a whole, the author has treated the subject in a both learned and readable fashion. On controversial and doubtful matters although Mr. Johnson has not clearly shown all possible alternatives, nevertheless his suggestions and proposals are well presented. What is important is that he has avoided dogmatism and has never pretended that "the scope of a rule is clear when in fact the position is otherwise."

Indeed, this is a good introductory book and though primarily meant for the student it is not doubted that on occasion it may prove of value to the practitioners.