

The most notable feature of Dr. Schmitthoff's work is that it aims at a broad view of the topic. Beside the commentary on the Sale of Goods Act, 1893, itself there are also chapters on the historical background, the general principles of the law of sale, and a valuable if all too brief chapter discussing modern trends and reform. This last includes a discussion of the trends towards uniform international sales laws and the Hague convention of 1964, the Consumer Protection Act of 1961, the Resale Price Maintenance and Trading Stamps Acts of 1964. The appendices to the volume include the Hire Purchase Acts of 1964 and 1965 and the Sale of Goods Bill 1966.

Unfortunately it is doubtful whether the learned author has been altogether successful. The work is aimed at the practising lawyer, the businessman and the student. But the development of the subject matter is unlikely to give complete satisfaction to anyone. This was a feature of the first edition commented on in the *Modern Law Review*<sup>1</sup> and the revised second edition has not materially altered the situation.

The practising lawyer though excellently served in the provision of a comprehensive range of recent case material throughout the commentary on the Sale of Goods Act itself is unlikely to find much use for the first three chapters. The student will find these first chapters insufficiently detailed if he wishes to study the wider context. The businessman will find the commentary on the Sale of Goods Act far too esoteric and "lawyer like" for his needs — a more general survey would be sufficient. The treatment of some of the historical and general background seems inadequate for the layman — confusing rather than enlightening.

The coverage of general principles relating, for example, to consideration, offer and acceptance, capacity and agency are as adequate as the normal commentary which is usually provided for lawyers on the Sale of Goods Act. Within the wider scope and aims of this particular approach however they are too fragmentary.

It is also somewhat over optimistic to state as does the dust-cover's introductory note, that "this is a comprehensive survey of the complete field of the modern British law relating to the Sale of Goods." That is unless mere reference by name (see page 215) to such Acts as The Merchandise Marks Acts, The Food and Drugs Acts, The Weights and Measures Act, 1963, is counted as "comprehensive". Purchase tax and customs duties also receive only a passing glance. But from the businessman's point of view at least these aspects will quite possibly offer more headaches than many of the more conventional problems covered by the Sale of Goods Act itself.

Some specific minor points mentioned in the criticism of the first edition in the *Modern Law Review* are worth mentioning since they have not been rectified. There is no commentary or historical background to explain the position of sales in market overt though historical survey is a feature of the book and a few sentences would suffice. It is stated (p. 73) that implied conditions relating to quality or fitness are "treated in ss. 13-15." This is misleading since s. 13 covers sales by description and an implied condition here may arise independently of ss. 14 and 15.

The textual references to *Re Wait* (incidentally still incorrectly referred to in the case table as "*ex parte Wait*") and *Williams v. Agius* remain somewhat cursory.

1. (1952) 15 *M.L.R.* 394.

In conclusion it must be emphasised that none of the above comments should be allowed to detract from the considerable achievements of this textbook. With few exceptions the commentary is unambiguous and to the point. The selection of case material is excellent and includes many references to recent decisions. On the Sale of Goods Act itself the work is comprehensive and constitutes a valuable alternative work of reference. If the wider aims have only been realised in part then at least to that extent we have a much needed opportunity to view the Sale of Goods in an up-to-date, and more meaningful context.

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