

## REVIEWS

---

SALE OF GOODS, BY G. H. L. FRIDMAN; London, Sweet & Maxwell Ltd., 1966, xxvii and 334 and (index) 13 pp.

THE SALE OF GOODS, BY P. S. ATIYAH, Third Edition; London, Sir Isaac Pitman & Sons Ltd., 1966, xxviii and 273 and (index) 11 pp.

THE SALE OF GOODS, BY CLIVE M. SCHMITTHOFF, Second Edition; London, Stevens & Sons Ltd., 1966 xxxviii and 361 and (index) 19 pp.

CASEBOOK ON SALE OF GOODS, BY E. R. HARDY IVAMY; London, Butterworth & Co. (Publishers) Ltd., 1966 xvii and 205 pp. and (index) 7 pp.

The past year has certainly produced a spate of writing on Sale of Goods. While each of the above publications is commendable in its own particular way, this reviewer still hopes that one may yet see a new and thoroughly revised edition of the standard treatise of *Benjamin on Sale* which has been out of print for so long.

Mr. Fridman's book is entirely new and his declared object is to put the subject in a new light. He proceeds at a more leisurely pace than Mr. Atiyah and his book is 50 pages longer, even though it is confined to Sale of Goods whereas Atiyah also deals with Hire-Purchase. A good feature of Fridman is his comparison of English law with the American Uniform Commercial Code, and this is of course particularly helpful in considering reform of our own law. It is a book which the good student should enjoy and from which he should derive profit for future study and research.

On the other hand, for the student and practitioner who want their law of Sale of Goods in a "narrative text book of modest dimensions" as Professor Gower suggests in his Foreward to Atiyah, the latter's treatise is probably still the best. He has tremendous facility for presenting even the most complicated parts of his subject in a precise and lucid manner.

It is fifteen years since Dr. Schmitthoff's first edition of *The Sale of Goods* appeared and the many changes in the intervening period are reflected in the changed nature of the second edition. The new volume is in three parts — the first is a narrative treatment of the history and concepts of Sales law with suggestions for reform, the second is the Act section by section with comments which are fairly full on the important points, while the third part contains related Acts and international conventions which give a fairly complete coverage of the Sales field in general. The author states at page vi in the preface that his aim is "to relate

the legal problems pertaining to the law of Sale to their economic and social environment." Generally, there is much in this book to commend it to the thoughtful student as well as provide an excellent reference work for the busy practitioner in the Commercial field.

Professor Ivamy's casebook is another in the rash of new English case books which have suddenly appeared on the market. This particular book consists of the important excerpts of well known English cases with short explanatory headnotes. It is a pity that the author did not include some of the leading cases from the Commonwealth, but apart from this, the selection is well made and the book should prove a useful student's companion.

C. H. C. EDWARDS.\*

MAITLAND, A Critical Examination and Assessment,  
by H. E. Bell, London:  
Adam and Charles Black, (1965) pp. 150.

"Not many years ago the Dean of one of our leading law schools," wrote Morris Raphael Cohen, in 1936, "used to address his class as follows: "If you want to be a 'nut' read Pollock and Maitland but if you want to know the law of New York State, read the cases." Great progress has since then taken place in our law schools and the prestige of Maitland's humane scholarship is now very high indeed."<sup>1</sup>

This excellent introduction to Maitland's humane scholarship is another proof that its prestige is not on the wane.

H. E. Bell, who died before his book came from the press, did not hesitate to admit that he was under Maitland's spell — that he was too much his pupil to be his critic. In making clear the point-of-view from which his book was written, he said:

"It is not merely that I regard him as the greatest English historian, but also that (as far as these matters can be judged at second hand, from correspondence and the testimony of reliable witnesses) I admire him as a man of notable goodness and nobility of character and of singularly attractive personality."<sup>2</sup>

A host of competent witnesses may be summoned in support of this high opinion of Maitland. Here are a few. In 1908, A. L. Smith, sometime Master of Balliol College, Oxford, said:

"If all his theories could be overthrown, all his positive results peptonized into textbooks, he would still live as a model of critical

---

\*Dean, Faculty of Law, University of Manitoba.

1. Reason and Law, Collier Books, p. 207.

2. P. 2.