

Accordingly, for most purposes the general legal principles relating to employee misconduct are adequately dealt with in text books on industrial or labour law.

Despite these criticisms, *Employees' Misconduct* has the merit of giving content to a hitherto vague concept. Unfortunately, however, the book must be regarded as being much too long for the general reader. Because each aspect of misconduct is considered in minute detail, with very numerous examples, and because every possible authority is cited and extensive use is made of quotation, the text covers 657 pages. Contemplating reading the whole dissertation is somewhat daunting, as this reviewer can testify. In the latter's view any future publication of this work should proceed with distillation in mind.

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CHARLESWORTH'S MERCANTILE LAW Twelfth Edition, by Clive M. Schmitoff, LL.D. and David A. G. Sarre, M.A. London. Stevens & Sons Ltd. 1972. xlix and 485 pp. (including index). New Zealand price \$5.60 (hardbound), \$3.20 (paperback).

This book is in ten parts. The first and major part deals with general principles of contract. The remaining parts cover Contract of Employment, Agency and Partnership, Sale of Goods and Hire Purchase, Competition, Negotiable Instruments, Commercial Securities, Insurance, Carriage by Land, Sea and Air, Bankruptcy and Arbitration.

The books appear deceptively small and one cannot but be impressed that such a large number of topics are covered, and covered as well as they are, in less than five hundred pages. Not only could each part be the subject for a single book but in many cases is — Sale of Goods and Hire Purchase which together form part three, and Bailment which is only a portion of part six, are each subjects of major texts. The preface states that this book is primarily intended as a text book for students, and the wide range is consistent with this. The fact that this is the twelfth edition, three of which have been in the last nine years, and that the eleventh edition had three impressions, would appear to indicate that it has found considerable support especially bearing in mind that in England, unlike New Zealand, there are a number of texts covering similar ground.

This is the second English text submitted to this Review in this general field. One wonders what market the publishers anticipate outside their own country for a basic text intended for use by students of that country and confined to English law.

The reviewer remains impressed that topics are covered as well as they are. The extent of the coverage is however vividly demonstrated by a comparison of the treatment of two subjects, Sale of Goods and Bills of Exchange, with the Acts which relate to them. The Sale of Goods Act in the New Zealand Reprint of Statutes comprises twenty-five pages — this book deals with the Act (which is for all practical purposes identical to the New Zealand statute), together with cases and commentary, in the same number of pages — twenty-five. The Bills of Exchange Act occupies forty-six pages in the New Zealand Reprint — this book covers and comments on the Act in thirty-five pages. It is

then unlikely that any New Zealand student, let alone practitioner, would find this text will assist him in any particular problem area. This coverage points to a further matter for comment. Not surprisingly, the writers, in dealing with some aspects of these two Acts, have little space to do more than quote the relevant sections. Here however it is unfortunately not made clear whether the section is being set out in full or paraphrased. If the writers feel that different typesetting will make the book less readable they might consider showing by footnotes that sections are being paraphrased. Whilst it is appreciated that the text is intended for students the writers must be too modest to assume it will not find a place in a practitioner's library and this could save valuable time checking the text with statute.

The further difficulty for the New Zealand reader is that whilst much of the ground covered is codified by statute both in England and New Zealand, the legislation is by no means identical. In the two fields already mentioned the basic statutes are the same, but irritating, if nothing else, is the different section numbering in the New Zealand and English Sale of Goods Act, and perhaps more importantly the Misrepresentation Act 1967 in England alters the position as to examination and acceptance. Whilst New Zealand has lagged behind England in Hire Purchase legislation until 1971 it appears to have jumped ahead in the field of bankruptcy with the Insolvency Act in 1967. These two fields present considerably more difficulty for a New Zealand student turning to this text.

It is perhaps too much to expect to see New Zealand cases sprinkled through a text where space is already at very much of a premium. Nevertheless the writers may have found some valuable assistance on the question of when a hire purchase transaction is a "sham" (page 246) in some more recent New Zealand cases, most particularly *Bateman Television Ltd. (in Liquidation) v. Coleridge Finance Co. Ltd.* [1971] N.Z.L.R. 929.

There is a chronological table of statutes. In view of the wide range of legislation an alphabetical index either in substitution or addition would be helpful. The New Zealand reader would probably be intrigued to note in passing the Mock Auctions Act 1961 and Unsolicited Goods and Services Act 1971. He might also welcome the Misrepresentation Act 1967 and the Trade Descriptions Act 1968.

An interesting innovation is a Select Bibliography at the end of each chapter. This is very helpful and might well be followed by other writers in the future.

The book is a good, perhaps particularly good, omnibus text for English students of commercial or mercantile law. It has however neither the context, nor coverage for real appeal to a New Zealand student or practitioner. Perhaps we could have New Zealand editions of some of these texts?

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