

unpaid seller's Common Law right of resale was based upon a misunderstanding of the cases, and that he had allowed himself to be unduly influenced by a purely tentative suggestion of Blackburn's made thirty years before, and founded on the scanty authorities existing at that date. But the language of Section 48 (3) of the Code has followed his statement of the case, and requires interpretation.

Certain difficulties felt by the learned Author in *Atkinson v. Bell* and *Bryans v. Nix* on the question of the passing of the property, and in *Heyworth v. Hutchinson* with regard to the law of warranty, have, it is submitted, been solved.

Principally in order to economise in space, little or no reference has been made to merely emergency legislation.

For the same reason, and also having regard to the fact that a separate American edition of this treatise exists, no notice of American law as such has been taken. But many references will be found to decisions of Courts in the United States where they throw light on English law. Some reference has also been made to Canadian and Australasian cases.

TEMPLE,

November, 1920.