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## *THE STATUTE OF FRAUDS AND SOME RECENT CHANGES.*

It would be well for the profession in Ontario to scan carefully the forthcoming volume of the Revised Statutes, as presumably they have done the statutes for 1913 recently published. There is one change of considerable importance to which it would be well to call special attention.

By the 17th section of the Statute of Frauds (29 Char. II. c. 3) it is enacted that "no contract for the sale of any goods, wares and merchandises for the price of £10 sterling or upwards shall be allowed to be good, except the buyer shall accept part of the goods so sold and actually receive the same; or give something in earnest to bind the bargain, or in part of payment; or that some note or memorandum in writing of the said bargain be made and signed by the parties to be charged by such contract, or their agents thereunto authorised."

Doubts long existed as to the application of this section to an executory contract to sell. More than 150 years after the passing of the Statute of Frauds the matter was set at rest by Lord Tenterden's Act, 9 Geo. IV. c. 14, s. 7, which enacted that the provisions of s. 17 "shall extend to all contracts for the sale of goods of the value of ten pounds sterling and upwards, notwithstanding the goods may be intended to be delivered at some future time, or may not at the time of such contract be actually made, procured, or provided, or fit, or ready for delivery, or some act may be requisite for the making or completing thereof, or rendering the same fit for delivery." The effect of the above statute was held to modify the 17th section of the Statute of Frauds so far as the word "price" was concerned, and made "value" the standard.