

This article includes—

(a) Single agreements for the purchase of more things than one, each under the value of 10*l.*, but collectively worth 10*l.* or upwards<sup>1</sup>

(b) Agreements for the sale of goods, and also for other objects, in which the goods sold are worth 10*l.* or upwards<sup>2</sup>.

(c) Agreements for the sale of goods of unascertained value at the time of the sale, which are afterwards ascertained to be worth 10*l.* or upwards<sup>3</sup>.

#### ILLUSTRATIONS.

1. A buys several articles at the shop of B, a linendraper, the price of each being separately agreed upon, and desires an account of the sale to be made out. No one article is of the value of 10*l.*; the total value is 70*l.*<sup>4</sup>

2. A agrees to sell a horse to B, and keep it at his own expense for six weeks, after which B is to fetch it away and pay A 30*l.* The agreement for the sale of the horse is within the statute<sup>5</sup>.

#### ARTICLE 3.

##### *Goods defined.*

The word 'goods' in Article 1 includes every kind of tangible moveable personal property, whether such property was originally fixed or growing out of the soil or not<sup>6</sup>.

It does not include shares<sup>7</sup>, stocks<sup>8</sup>, documents of title, or rights of action.

It does not include things fixed upon or built upon the land<sup>9</sup>.

<sup>1</sup> Illustration 1.

<sup>2</sup> Illustration 2.

<sup>3</sup> Involved in *Watts v. Friend*, 10 B. & C. 446.

<sup>4</sup> *Baldey v. Parker*, 2 B. & C. 37.

<sup>5</sup> *Harman v. Reeve*, 18 C. B. 586; 25 L. J., C. P. 257.

<sup>6</sup> *Benj.* 107, quoting *Black.* 9-10.

<sup>7</sup> *Duncroft v. Albrecht*, 12 Sim. 189 (Railway Shares); *Humble v. Mitchell*, 11 A. & E. 205 (Joint Stock Bank Shares).

<sup>8</sup> *Heseltine v. Siggers*, 1 Ex. 856; 18 L. J., Exch. 166.

<sup>9</sup> *Lee v. Gaskell*, 1 Q. B. D. 700 *Black.* 20.