

Volume 29

[1971] C.L.J.

Part 2

THE CAMBRIDGE LAW JOURNAL

November 1971

New Light on Slade's Case

J. H. BAKER

Reform of the Sentencing Process

PETER W. LOW

The Shiloh Yarn Tangle

P. B. FAIREST

The Liar Paradox in Legal Reasoning

J. C. HICKS

For full contents see back of cover

CAMBRIDGE UNIVERSITY PRESS

FOR THE FACULTY OF LAW, UNIVERSITY OF CAMBRIDGE

THE CAMBRIDGE LAW JOURNAL

EDITORIAL COMMITTEE

Professor C. J. Hamson, M.A., LL.M., *Chairman and Treasurer*

Professor Glanville L. Williams, Q.C., LL.D., F.B.A.

D. W. Bowett, M.A., LL.B., *Note Editor*

R. N. Gooderson, M.A., *Note Editor*

J. C. Hall, M.A., LL.B., *Note Editor*

J. A. Jolowicz, M.A., *Note Editor*

L. S. Sealy, Ph.D., *Secretary*

J. W. A. Thornely, M.A., *Book Review Editor*

D. G. T. Williams, M.A., LL.B., *Note Editor*

SUBSCRIPTIONS 1971/72

One volume of *The Cambridge Law Journal* is published each year, except in 1972. Each volume is in two parts, published in April and November. The subscription price of Volume 30 (1972) is £2.80 net (including postage) and is payable in advance. Single parts cost £1.50 net plus postage. Volume 31, containing the Index and Jubilee issues will also be published in 1972 at £4.00. Orders may be sent to Cambridge University Press, Bentley House, 200 Euston Road, London NW1 2DB, or to any bookseller. In Canada and the United States of America, the subscription price for Volumes 29 and 30 is \$9.00 and single parts cost \$4.75. Orders should be sent to Cambridge University Press, 32 East 57th Street, New York, N.Y. 10022.

BACK VOLUMES

Volumes 1—27 (1921—1969)	£170 net (\$526.00) per set (hardbound)
Volumes 1—11 (1921—1953)	
one volume of 3 parts every 3 years	£8.50 net (\$26.00) per vol. (hardbound)
	£2.50 net per part (paper covers if available)
Volumes 12—28 (1954—1970)	
one volume of 2 parts every year	£5.00 net (\$15.00) per vol. (hardbound)
	£1.50 net per part (paper covers if available)
Volume 29 (1971)	£2.80 net (\$9.00) per vol. £1.50 net (\$4.75) per part

ADVERTISING

Details of advertising in the *Journal* may be obtained from Cambridge University Press.

NOW AVAILABLE

(3586-0893)

HERTSLET'S COMMERCIAL TREATIES

Volumes 1-31 (reduced 4 pp. in one) London
1827-1925 (All published)

Cloth bound set in 10 volumes \$675.00

Per combined volume, cloth bound 70.00

Note:

Volume 16 (bound with volumes 17-18) is a General Index to volumes 1-15.

Volume 22 (bound with volumes 23-24) is a General Index to volumes 1-21.

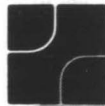
Volume 31 (bound with volumes 29-30) is a General Index to volumes 23-30.

Please include title and code number in your order.

Hertslet's Commercial Treaties is a valuable serial publication of important British documents. It includes "treaties and conventions between Great Britain and foreign powers," and "laws, decrees, orders in council, etc., concerning the same, so far as they relate to commerce and navigation, slavery, extradition, nationality, copyright, postal matters, etc."

Publication of *Hertslet's* began in 1827 and continued regularly through 1925 (volume 31) when the British Foreign Office incorporated it in *British and Foreign State Papers*. Its material is principally that of the nineteenth and twentieth centuries, but some papers are of an earlier date. *Hertslet's* nearly one hundred year scope and breadth of coverage make it indispensable to historians, in particular.

This ten volume edition reproduces four pages of the original 31-volume set to each page of the reprint, thus reducing the bulk of the set and facilitating its storage and handling. This new format makes it possible to offer the complete *Hertslet's Commercial Treaties* at a lower price, but in no way decreases legibility.



JOHNSON REPRINT CORPORATION
111 FIFTH AVENUE, NEW YORK, N.Y. 10003

JOHNSON REPRINT COMPANY LTD.
BERKELEY SQUARE HOUSE, LONDON, ENGLAND W1X6BA

C.L.J.—a

**A legacy
means
a lot
to the
limbless**



18,000 limbless Ex-Servicemen depend on the British Limbless Ex-Service Men's Association.

BLESMA is not aided by the State. But we urgently need money to help these veterans conquer their handicap. And to equip and maintain homes in which they convalesce and are given care and comfort in their old age.

This is where you can help. A word from you to your client might give hope and encouragement to those who gave so much for their country. A legacy would mean a lot to them.

Donations and Information: Major the Earl of Ancaster, K.C.V.O., T.D., Midland Bank Limited, 60 West Smithfield, London EC1. A9 DX.

**BRITISH LIMBLESS
EX-SERVICE MEN'S ASSOCIATION**

**18,000 Limbless
Ex-Service Men
await a word from you**

A word of encouragement and a token of help—needed, now, by British Ex-Service men who have sacrificed a full life. Many of them are completely unable to help themselves. Money is urgently needed to help these men conquer their handicap—money to equip and maintain homes in which they can be given convalescence, or care and comfort in their old age. BLESMA is not aided by the State. Will you help?

Another way you can help.

Do you know any British Ex-Service man or woman who has lost a limb and who would benefit from specialist help and advice? Let BLESMA know.

Donations and information:

Major the Earl of Ancaster, T.D., Chairman of Appeal (C.L.J.I) Midland Bank Ltd., 60, West Smithfield, London, E.C.1.

**BRITISH LIMBLESS
EX-SERVICE MEN'S
ASSOCIATION**

(Registered in accordance with the National Assistance Act 1948 and, as a charity, under the Charities Act 1960.)

HOW TO ELIMINATE THE DISADVANTAGES OF ORDINARY COVENANTS YET RETAIN THE MAXIMUM TAX BENEFIT

You know that a Covenant allows the money given to Charity to be increased by recovered income-tax.

You also know that a Covenant is restrictive: the same amount of money must be given each year to the same Charity over a period of time that is usually taken to be not less than seven years.

What is more, any other gifts that might be made (in response to an appeal, for instance) cannot be included in the Covenant and be increased by tax recovery.

Now consider the advantages of a single "Uncommitted Covenant" with the Charities Aid Fund.

We receive the cheque. We add to it the value of the tax which we recover. We send out donations in accordance with instructions. The choice of Charity or of Charities can be altered from time to time. The amounts can be changed. Charities can be added, or subtracted, from the list. We arrange all this and do all the paper-work without formal charge to you or to your Client. Thus all the money that is given to charity can be increased. And your Client retains his freedom.

If you would like to know more, please write to Howard Smith who will be glad to supply further information or to discuss with you the advantages of this uniquely simple "Uncommitted Covenant".

Charities Aid Fund

48 Pembury Road. Tonbridge. Kent.
Telephone: Tonbridge 62323
(London Office: 01-636 4066)



OXFORD BOOKS FOR STUDENTS

***Constitutional Theory**

Geoffrey Marshall, *Fellow of The Queen's College, Oxford*

This book introduces and examines some of the basic ideas underlying the Anglo-American system of constitutional government—the State, Law and Convention, Sovereignty, the Separation of Powers, Judicial Review, Equality, Liberty, and Public Order. Two styles of constitutionalism are contrasted. In the second part of the book the major civil rights are considered—in particular the right to equality before the Law and the right to freedom of speech and assembly. The concluding chapter examines the problem posed for constitutionalism by civil disobedience. £2.25 *Clarendon Law Series*

***An Introduction to the Law of Contract**

P. S. Atiyah, *Faculty of Law, The Australian National University*

This book gives students an overall view of the subject, either at the commencement of their studies or in conjunction with established textbooks. The new edition has been extensively revised, gives greater emphasis to current trends, and brings out more clearly the commercial and social policy issues which underlie contract law. It also illustrates the way in which lawyers give effect to these policy considerations through the skilful development of legal concepts. This has involved some digressions into the nature of legal reasoning, and the author attempts to apply some of the lessons which lawyers have learned from legal philosophers. Second edition £2.50 *Clarendon Law Series*

Administrative Law

H. W. R. Wade, *Professor of English Law, University of Oxford*

The powers of the state are growing incessantly and they affect every citizen in numerous ways. Much of the law that keeps them under control is judge-made, and there have been important developments since it was described in Professor Wade's second edition four years ago. Full account is taken of recent decisions in which the courts have asserted their powers. This book attempts to clarify the framework of a subject which has been insufficiently recognized as a single body of law. The principles of judicial control, natural justice, and tribunals and inquiries are given special prominence. Third edition £1.75 *Clarendon Law Series*

Basic Documents on Human Rights

Edited by Ian Brownlie, Fellow of Wadham College, Oxford

There is constant public discussion of issues concerning civil liberties and human rights, but the most relevant documents are not as readily accessible as they should be. This work is intended to be a handbook of sources on human rights with introductory notes. Particular attention has been paid to major international agreements, regional developments, the work of the International Labour Organization, the concept of equality and the economic foundations of human rights. £3.50 paper covers £1.75

*** Just published**

OXFORD UNIVERSITY PRESS

Matthews and Oulton on Legal Aid and Advice

Just published

By *E. J. T. MATTHEWS*, *A Master of the Supreme Court of Judicature (Taxing Office) and a member of the Lord Chancellor's Advisory Committee;* and *A. D. M. OULTON, M.A., Barrister-at-Law, and of the Lord Chancellor's Office; in consultation with Seton Pollock, Solicitor and Secretary of the Legal Aid Committee of the Law Society.*

Running to over 600 pages, this book covers a very wide terrain and is backed by many years of thinking, discussion and research. It is based, too, on first-hand experience of the practical workings of the Legal Aid Acts. The aim of the authors is to identify the principles which govern eligibility for legal aid, to indicate the consequences which result from the grant of a certificate and to state the practice in detail. The comprehensive and detailed text deals not only with the legislation but also examines the many important cases in depth. It deals with such topics as the development of legal aid and advice; courts and tribunals where legal aid is available; rights, duties and remuneration of solicitors and counsel; and how an applicant's resources are determined. This book is sure to become the definitive work on the subject. As a *Butterworth Modern Text Book*, it will be kept abreast of future developments by the issue of Supplements.

£9.50 net.

406 29060 1

Harvey on Industrial Relations

Just published

By *R. J. S. HARVEY, Q.C., B.A.(Mod.), LL.B., Sometime Scholar of Trinity College, Dublin; of Gray's Inn.*

This authoritative account of the new industrial relations law will be greatly welcomed by all members of the legal profession, especially those who will have to advise on the practical workings of the new Act. Running to about 500 pages, the book is divided into two main Parts. The first consists of an introduction to the Act, followed by a commentary on the implications of its provisions, while Part II gives the text of the Act itself, with extensive annotations and invaluable cross-references to other statutes and authorities. The Appendices deal with essential material such as statutes and provide a list of official publications and Parliamentary debates. *Harvey* will eventually adopt a loose-leaf format, which will ensure that readers will be fully up-to-date with any rules and ancillary legislation passed in connection with the Act. The book is also available in *Butterworths Annotated Legislation Service*.

£5.75 net.

406 22175 8

Despatch Charges: Orders of £6 or less—add 30p; £10 or less—add 40p; £15 or less—add 50p; £20 or less—add 60p; orders over £20—add 70p.

Butterworths, 88 Kingsway, London WC2B 6AB
Showroom: 11-12 Bell Yard, Temple Bar, WC2

Sources of Family Law

(Supplement)

J. C. HALL

Details changes in family law which have occurred since the first edition of *Sources of Family Law* was published in 1966. This supplement deals with 12 new acts of Parliament and 11 new cases.

Paper covers, £1.00 net

CAMBRIDGE STUDIES IN
ENGLISH LEGAL HISTORY

The High Court of Delegates

G. I. O. DUNCAN

A study of the principal appellate court in the English civil law hierarchy, the High Court of Delegates. This book examines the history, jurisdiction, procedure, personnel and records of the court from the mid-16th century until its abolition in 1832.

£7.00 net



CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE LEGAL CASE BOOKS

Cases and Materials in

Company Law

L. S. SEALY

Provides students with a full selection of leading cases in which the principles of Company Law are supplied in full. Relevant and frequently-discussed extracts are quoted.

Though there has been a succession of Companies Acts since 1844, Company Law as a whole has not been codified, and a study of cases as well as statutes is essential if the principles of this section of the law are to be understood.

A large section contains illustrations, showing documents, reports and accounts of real companies, public and private. These make the book the most practical and comprehensive in its field.

908 pages

Cloth £12.00 net

Paperback £3.40 net

CAMBRIDGE UNIVERSITY PRESS

C.L.J.—b