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Edited by

Isaac Tambyah, Advocate.

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To Our Readers.

With this number the Ceylon Law Review closes its seventh volume. An index to the various portions of the volume including the Law Reports will be issued shortly. Subscribers who are in want of back numbers of this volume can have them on application. Full particulars as to eighth volume will be announced in due course.



Byles on Bills.

This is the seventeenth edition of Sir John Barnard Byles' well-known book. The first edition was in 1859 and the succeeding eight editions were in the lifetime of the author. The sixteenth edition was in 1899, and the present one of 1911 is edited by Mr. Walter J. B. Byles and Mr. Eric R. Watson, the latter sometime law-lecturer in Ceylon. Great changes have been introduced into the original work by the present editors. The most important feature of the new edition is the incorporation of the text of the Bills of Exchange Act in the notes. The subject is divided into topical chapters and the sections are distinguished by special type. The result of the new arrangement is that Byles on Bills so long behind Chalmers is now ahead of it. We feel sure that there will be a great demand for the book in Ceylon.

Book Notices.

1. **The German Law of Bills of Exchange and of Cheques**: by Sydney Leader, solicitor of the English Supreme Court, London and of Berlin. London: Sweet and Maxwell 1911. This is a translation of the latest text of the *Wechselordnung* which was officially published on June 3rd, 1908, and came into force on October 1st, 1908 and of the *Scheckgesetz* of March 11th, 1908, which came into force on April 1st, 1908. A conference of German jurists held in 1847 formulated a General German Exchange Law containing 100 articles, and in the following year this code was adopted as the Imperial Law. The text of this law was not only used for the present Austrian and Hungarian Codes, but has been freely drawn upon in compiling many of the recent codes of other countries. Since that date it has been subject to various revisions leading up to the text forming the basis of the present translation. Mr. Leader's book is useful for the purpose of comparative study of the Law of negotiable instruments. Some of the principal differences between the English law and the German law are, that the latter requires the use of the word cheque or a corresponding expression in the body of the document itself. It must also state that the sum named is payable out of the drawer's property in the hands of the drawee, although such property may consist of a credit or overdraft placed by the drawee at the customer's disposal; it also appears to be at least for a limited time, an absolute assignment of the sum named, and consequently cannot be stopped, as is possible with a British cheque. Post dating such instruments is also not countenanced.

While the English law considers a cheque to be a bill of Exchange, the German law treats it as a different instrument, a view taken by many other codes, and until this difference disappears, it is likely to remain a considerable obstacle to any international unification of Exchange Laws. Mr. Leader's interesting little book is published at 2/6.

2. **The Law of Personal Property** by A. M. Wilshere, M.A., LL.B. London: Sweet and Maxwell, 1911. Price 5/ Mr. Wilshere who is lecturer in law to the University of Bristol is the author of four books in the students' series of law books published by Messers Sweet and Maxwell. He has contributed to the series two books on criminal law, one on evidence and this his fourth is an analysis of Williams' Personal Property. A warning is given in the preface that this book is designed merely as an assistance to the student who *has read* the parent work. In Ceylon

where there is a vast amount of the law of England followed and relied on in our courts the student of law should find Mr. Wilshere's book exceedingly helpful. In 135 pages the law of personal property is well traversed. The book deals with choses in action contracts, life insurance, annuities, patents, wills, intestacy, title and other subjects. An appendix of 100 questions brings to a close the useful analysis which is marked by a sufficient fulness of treatment to take it above the plain of dry digests.

3. **Broom's Legal Maxims.** London: Sweet and Maxwell 1911. This is the eighth edition of an indispensable book. The first edition was published in 1845, the seventh in 1900. The vast accumulation of case law during the last ten years has rendered this edition necessary. It was our pleasure to review the last edition in these pages and we can once more commend to the lawyers of Ceylon this compendium of legal wisdom as set out in rememberable maxims.

4. **Matara Cases:** edited by O. I. de Kretszer, Advocate, Matara. Volume 1 part 1 Colombo: Ceylon Examiner Press 1911. We quite agree with Mr. de Kretszer, Lord Ellenborough's misfortune notwithstanding, that it is no part of a reporter's duty to decide what is doubtful law. It is best that all decisions should be reported that the bad may be overruled at once. The present part of the first volume is devoted to the subject of partition. Hitherto unreported cases on the subject are given in this number. The reports are full even to the extent of giving wherever necessary the lower court proceedings and the judgment. Considering the fact that it is not a very pleasant task to rake up judgments from the obscurity of their dusty reports, we heartily congratulate Mr. Kretszer upon his great undertaking and wish him every success upon the enterprise which, we hope, will bring him in return something more substantial than the thanks of a grateful profession.

5. **The Law Record:** edited by P. Tirumal Achar B. A. B. L. Vakil High Court: Law Record Office, Mylapore, Madras. This is not altogether a law reporter. It is a journal of comparative legislation and commercial law. We believe this is the only journal of its kind in India. The principal contents of the number before us are Rules for submission of petitions, Rules for service of processes in native states, Taxation of British Companies in France, Rules of agricultural act, and certain legislative enactments of the various Indian Presidencies. The last part of the number gives two important cases relating to promissory notes and the Merchant Shipping Act. A magazine conducted along the present lines is calculated to be of great service both to lawyers and to commercial men.

