



(page 733). In footnotes, read "Carbolic Smoke Ball Co." for "Carbolic Smoke and Ball Co." (page 144, n.2), "Rose and Frank Co." for "Rose; and Frank" (page 184, n.1), "Grant" for "Giant" (page 257, n.7), "Insurance" for "Iusurance" (page 601, n.1); "Benefit" for "Benifit" (page 601, n.2), "1951" for "1251" (page 861, n.1). None of these mistakes has been corrected in the errata (pages 877-78), thereby necessitating another errata.

By and large, the book is a useful addition to the existing learned commentaries on the Indian Contract Act, 1872, and may profitably be consulted by all concerned. It contains enormous citation of English and Indian decisions, enunciation and discussion of legislation bearing on the provisions of the Indian Contract Act and other source material. The author has tried to make the volume useful by embodying in it the text of the Indian Contract Act, 1872 (with amendments), subject index, recommendations of the Fifth Indian Law Commission, and of the English Law Revision Committee. A table of cases, if provided, would have been most welcome. The commentary is at times repetitious.

The reviewer hopes that in the second edition of this work, the author will provide more factual situations of decided cases and draw *his* own legal conclusions therefrom. Also, the printer's devil, it is hoped, will be put at the lowest ebb.

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THE SALE OF GOODS ACT AND THE PARTNERSHIP ACT. By Pollock and Mulla. Third Edition by D. N. Pritt, Q. C. Bombay: N. M. Tripathi Private, Ltd. Pp. xxxiv+ 456. Rs. 25/-.

THE WORK under review has its root in respect both of the enactment and the commentary in the Indian Contract Act, 1872. Sir Frederick Pollock's undertaking to write the book on the subject was based on the condition of the Indian cases being collected and digested by a competent person in India. That part of the work was entrusted to and performed "completely and faithfully" by Sir D. F. Mulla. The first edition of the book on the Indian Contract Act, 1872, was thus published by Sweet and Maxwell in the year 1905. Chapter VII (sections 76 to 123) of the Contract Act covered the law on the sale of goods which was repealed by and reenacted as act III of 1930. The law on partnership which was contained in chapter XI (sections 239 to 266) of that act was similarly separated by act IX of 1932. The commentary on partnership was transferred from the parent book and was published as a separate treatise in the year 1934 shortly after Mulla's death. The scheme presumably for a separate book on each of the two acts could

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not, it appears, materialize owing to the subsequent demise of Pollock. Contrary to the legislative scheme and measure and apparently from the commercial point of view, a consolidated book on the *Sales of Goods Act and the Partnership Act* was edited by the late Sir B. L. Mitter and published by the Eastern Law House, Limited, Calcutta in the year 1950 as its second edition counting, it seems, on the aforesaid first edition of the book on partnership. The present and the third edition of the book has been prepared by D. N. Pritt and published by N. M. Tripathi Private Ltd., Bombay, after a lapse of about sixteen years.

Except for a common title, preface and list of cases, the book consists of two distinct parts with separate contents, comparative table of sections under the present act and those of the English and the Indian Contract Act and the subject index at the end for each part. Relevant provisions of the English acts have been reproduced as appendix at the end of each part. The authors of the book need no introduction to the readers. The provisions of the Indian acts being substantially the same as those of the English acts a joint authorship of an English and Indian jurist of the calibre and reputation of Pollock and Mulla was bound to attain the designed standard. The task of editing the book for its second and third editions were rightly entrusted to distinguished lawyers.

The commentary is critical as well as explanatory. The relevant law on the subject has been discussed under each section of the act with the aid of the corresponding provisions and the case law under the English act and in the light of the decisions of the Indian courts. The book, as indicated in its preface, is intended both for students and practitioners. Such books are, however, very likely to turn out to be more comprehensive for the one class and less for the other.

The third edition of the book retains the form and the standard aimed at in its second edition. The endeavour of the present editor is limited to a selection of the more important decisions of the English and Indian courts during the intervening period of about fifteen years and to insert them at their appropriate places in the book. The additions, however, are not thorough or exhaustive and one may find it necessary to have recourse to the law reports to make sure that there is nothing wanting or missing on any specific point.

The book on the whole has been and should continue to remain a standard and leading work on the subject in India. No one can doubt or need be assured that it is one of those books which is indispensable both to a scholar and member of the legal profession.

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