

BULLEN & LEAKE'S PRECEDENTS OF PLEADING (11th Ed.): The Common Law Library No. 5. Editor: L. L. Loewe. Consulting Editors : R. F. Burnand and I. H. Jacob. [1959, London: Sweet & Maxwell Ltd. £7 7s. cxcix + 1186 pp. inc. index 52 pp.]

The previous edition of *Bullen & Leake* was published in 1950 and common law practitioners will welcome the present edition. *Bullen & Leake* celebrates its centenary in 1960 and the authority it has established for itself combined with the nature of the work make a review in the ordinary sense of the word difficult.

The editor of the present edition has gone much further than merely revising the previous edition to incorporate changes made necessary by recent legislation and new cases. There are a number of drastic changes in presentation all of which make finding a particular precedent much easier. The titles of sub-chapters at the top of the right hand page make it less necessary to refer to the index which is itself much improved. The great change however has been in the removal of passages on pleading and on substantive law from foot-notes to headed paragraphs printed in the text as general introductions or notes on specific topics. Indeed, this has been done with so thorough a hand that the only two references in the work to foot-notes

are in the preface. The precedents are serially numbered to facilitate reference in the supplements which will be issued. A Table of Statutes has also been added.

Besides the two consulting editors, Master Burnand and Master Jacob, the editor has had the assistance of specialists in the preparation of precedents on particular topics. The distinction of the editors and the authority of the work would make criticism of any precedent or group of precedents presumptuous but in a work of as monumental a nature as *Bullen & Leake* it is inevitable that the effect of recent cases on some precedents should go unnoticed. A group of precedents where this has happened and perhaps the only such group is the collection of precedents for statements of claim in actions for wrongful dismissal. These precedents have undergone no change from their counter-part ones in the 9th and 10th editions of *Bullen & Leake* and they do not make it clear that in actions for wrongful dismissal damages claimed by a servant are special damages and must be set out and claimed as such. A form of claim criticised by Lord Greene M.R. in *Monk v. Redwing Aircraft Co.* [1942] 1 K.B. 182 at p. 185 is still retained in precedent No. 257. The same precedent (in the 9th edition) was relied upon without avail by counsel for the plaintiff in *Hayward v. Pullinger & Partners, Ltd.* [1950] 1 All E.R. 581. Neither case is referred to in the notes to these precedents though *Hayward v. Pullinger & Partners Ltd.* is referred to in the introductory chapters on the necessity of alleging special damage with sufficient particularity but not with specific reference to actions for wrongful dismissal. But for this group of precedents the objective set himself by the editor, of reconsidering and where necessary revising every pleading has no doubt been achieved.

The notes on substantive law have been brought up to date and pleaders will continue to find them handy and useful when reference to a work on a particular topic of substantive law is not indicated. On certain topics, like Money Paid and Money Had and Received the statement of the law and collection of cases in *Bullen & Leake* is as good as, if not better than, anything found elsewhere.

The importance of accurate and clear pleading needs no emphasis and this new-look edition of *Bullen & Leake*, maintaining as it does the worthy tradition of its predecessors and enhancing the reputation of the work, will find a ready place on the shelves, if not the table, of every practitioner.

1. LL.B. (Nottingham); of Lincoln's Inn, Barrister-at-Law; of Singapore and of the Federation of Malaya, Advocate and Solicitor; Part-time Lecturer in Evidence in the University of Malaya in Singapore.