

SHELDON'S PRACTICE AND LAW OF BANKING. By C.B. Drover and R.W.B. Bosley. [London: MacDonald & Evans. 1972. xxxii + 702. £4 net].

This is the tenth edition of Sheldon's well-known book on Banking. The First edition was published in 1920, and in Sheldon's own words (in his Preface), it was meant for "the practical bank man and for the student of English Banking law and practice". It seems that up to the ninth edition Mr. Sheldon guided the revision of the book, though Mr. Drover, one of the present editors, took part in the publication since the presentation of the seventh edition in 1953.

The ninth edition was published in 1962 and was reprinted for the 2nd time in 1965 with additional materials. However, the present tenth edition completely revises the ninth edition, and has not only brought the contents up to-date, but has added additional chapters and sections.

One modern aspect of the tenth edition is that it includes chapters on foreign exchange (including exchange control) and the collection of commercial paper including the *Uniform rules for the Collection of Commercial Paper*. Mr. Drover and Mr. Bosley (assisted by Mr. Fidler) have also re-written the section on the Clearing System. There are also new sections on the National Savings Bank, the National Giro, Trustee Savings Banks, the Bank Giro and Industrial and Provident Societies.

The appendixes have also been revised, and among other things, include for the first time the text of the Decimal Currency Acts, 1967 and 1969, and the *Uniform Rules for the Collection of Commercial Paper*.

Echoing Mr. Sheldon's aim as expressed in the first edition, the present editors also admit that the book is meant mainly for "practising bankers and other practical businessmen". Thus, we find in the various Chapters a different approach from legal textbooks like *Paget, Chorley* and *Holden*. This does not mean that this book is not of value to students of law and even legal practitioners. Indeed, members of the legal profession would greatly benefit from a perusal and study of this book; for practice entails the application of law. To give an example, the chapter on the Bill of Exchange (Chapter V), while dealing with practical matters relating to the subject, constitutes an excellent work on the relevance of the various sections of the Bills of Exchange Act.

It should also be noted that the editors of the present edition have dealt with negotiable instruments other than the usual trichotomy of cheques, bills of exchange and promissory notes. These are dealt with in Chapter VIII under "Other Instruments". One new type of negotiable instrument which is also gaining popularity in this part of Asia (including Singapore), is the Certificate of Deposit, which first appeared in the London Market in 1966.

The section on "The National Giro" (pp. 168-9), will also be of interest to those who wish to introduce more adequate banking facilities in this part of South East Asia. The National Giro was established in England in 1968, by virtue of the Post Office (Borrowing Powers) Act, 1967. Again, by virtue of the Post Office Act, 1969, the Post Office is deemed to be a bank and banker and to be carrying on the business of banking and a banking undertaking. One intriguing feature of this new organisation is the use of the "Girocheque", which is really a payment order for the withdrawal of cash. However, Girocheques are in fact "cheques", and can be crossed and sent direct to payees for payment into a bank account.

In spite of these new chapters and sections in the book, there are some parts which appear to be rather frugally treated although they are of growing importance in the context of banking and commerce. A chapter in point is that relating to Documentary Credits and Documentary Bills, which is dealt with in about ten pages. It is also rather disappointing to note that only two legal decisions are mentioned in this chapter, namely that of *Rayner & Co. Ltd. v. Hambros Bank* [1943] 1 K.B. 37, and *Bank Melli Iran v. Barclays Bank* [1951] 2 Lloyd's Rep. 367.

This leads to the other aspect of this book, namely that it is a "practical book" rather than a legal textbook. Nevertheless, for the first time, references to the various cases have been included, and are set out in the "Table of Cases Cited". However, few cases are mentioned compared to other legal textbooks on Banking. References to important cases should nonetheless be included—especially the more recent ones. A significant omission in this respect is the case of *Barclays Bank Ltd. v. Okenarhe* [1966] 2 Lloyd's Rep. 87, which is relevant not only with regard to the relationship between banker and customer, but also with regard to the vexed question of combination of accounts.

With regard to the section on "Set-off" (pp. 191-194) it should be noted that the Court of Appeal decision in *Halesowen Presswork & Assemblies v. Westminster Bank* [1971] 1 Q.B.1 mentioned at p. 192, has now been reversed by the House of Lords in the appeal by the Bank, and is reported in [1972] 1 All. E.R. 641. However no blame should be attached to the authors as, apparently, the House of Lords decision was made after the book went to the press.