CONTENTS

	Page
Preface	v
Table of Cases	хi
Table of Statutes	xix
Introduction	xxi
Chapter I	
THE LAW OF AGENCY	
Introductory Authority of agent Agent's duty to principal Rights of the agent Estate agent's contracts Effect of agency on contracts with third persons Principal's liability for torts of agent Implied warranty of authority Particular classes of agents	1 2 14 18 22 27 32 34 36
CHAPTER II	
THE LAW OF THE SALE OF GOODS	
Introductory Form of contract Subject matter Conditions and warranties Transfer of property in the goods Performance of contract Standard contracts of carriage	40 42 45 47 55 68 73
Rights of unpaid seller Remedies of buyer	76 82

Contents

CHAPTER III THE LAW OF HIRE PURCHASE

	Page
Introductory	84
Common law	85
Hire Purchase Act, 1966, of Tanzania	91
Hire Purchase Act, 1968, of Kenya	97
CHAPTER IV	
THE LAW OF GUARANTEE	
Introductory	102
Form of contract	103
Liability of surety	105
Rights of surety	107
Discharge of surety	110
CHAPTER V	
THE LAW OF BAILMENT	
Introductory	115
Liability of bailee	115
Liability of bailor	119
Pawnbrokers	122
Bills of sale	125
CHAPTER VI	
THE LAW OF INSURANCE	
Introductory	133
The contract	133
Life insurance	139
Fire insurance	142
Burglary, accident and other forms of insurance	143
Motor-vehicle insurance	144
Marine insurance	149

Contents

CHAPTER VII THE LAW OF NEGOTIABLE INSTRUMENTS

	Page
What is a negotiable instrument?	167
Acceptance	172
Inchoate or incomplete instruments	174
Capacity and authority of parties	175
Forgeries	178
Consideration for a bill	179
Holder of a bill	181
Negotiation of bills	183
Presentment for payment	184
Dishonour	186
Liability of parties	188
Discharge of a bill	190
Conflict of laws	194
CHAPTER VIII	*
THE LAW OF CHEQUES AND PROMISSORY	NOTES
Introductory	196
Relationship between banker and customer	198
The Cheques Act, 1968, of Kenya	201
Promissory notes	204
Commercial letters of credit	205
CHAPTER IX	
THE LAW OF BANKRUPTCY	
Introductory	211
Acts of bankruptcy	212
Who is a debtor?	214
Bankruptcy petition	·215
Receiving order	217
Adjudication order	222
Control over person and property of debtor	224
Administration of property	231

Contents

	Page
Distribution of property	249
The official receiver	253
Trustees in bankruptcy	253
Supplemental provisions	257
Deeds of arrangement	258
APPENDIX	
Uniform customs and practice for documentary credits	262
Index	275