

COMMERCIAL LAW

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Commercial law by W. Douglas Edwards

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W. DOUGLAS EDWARDS

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BY

W. DOUGLAS EDWARDS, LL.B.

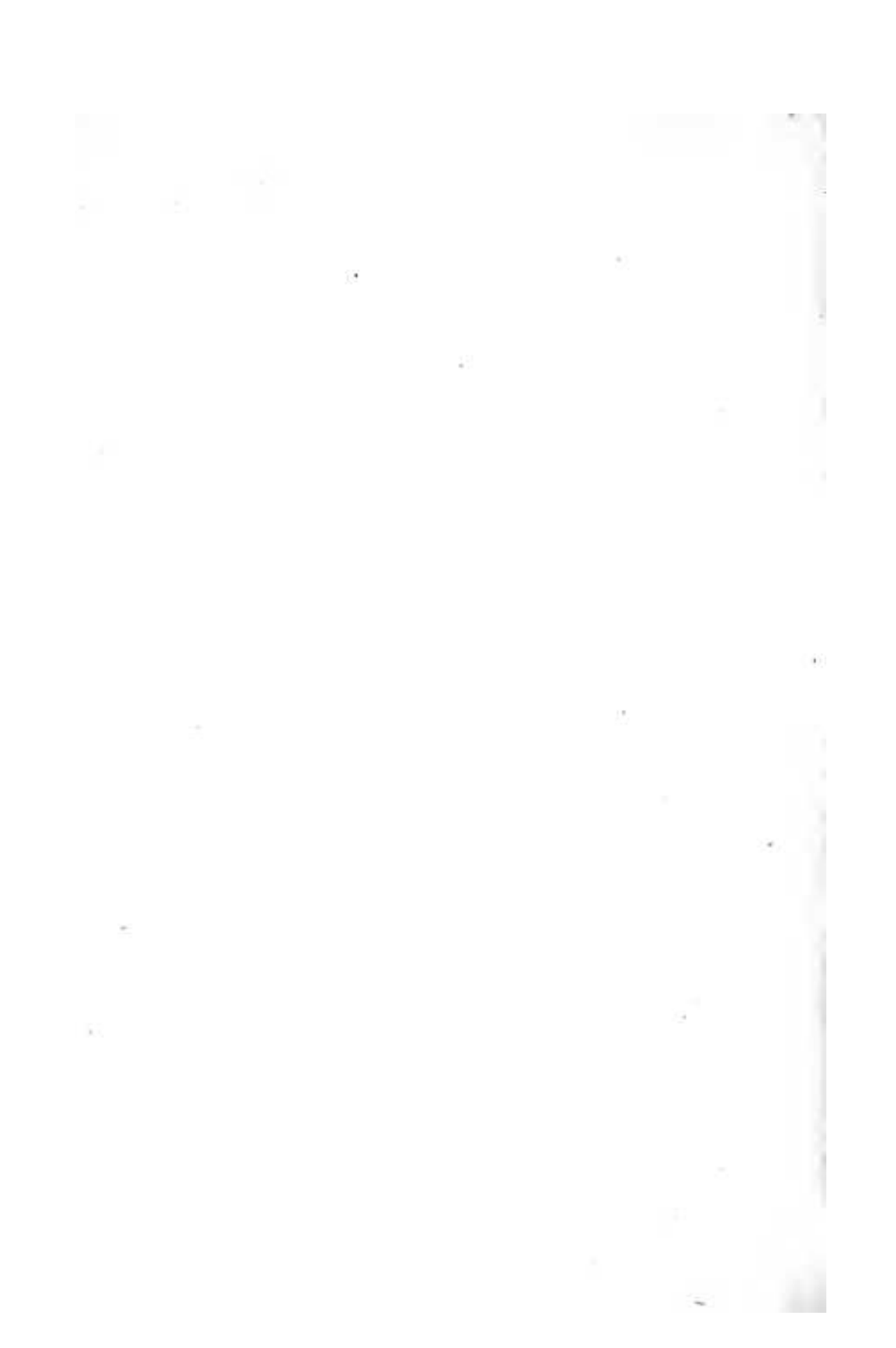
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AUTHOR OF

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P R E F A C E

THIS book, which is one of a series of works designed for use in commercial education, is intended as a comprehensive outline of the Commercial Law of England, adapted to the requirements of those who, in preparing for business life, have to acquire some knowledge of this branch of law. Such being the main purpose of the book, technical phraseology has been avoided, as far as was consistent with the adequate treatment of the topics discussed; and very few legal decisions have been cited—those referred to being chiefly modern cases of special importance. At the same time, the writer has endeavoured to treat the subject in such a manner as to supply students and business men with a useful guide to the elements of commercial law.

W. D. E.

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COMMERCIAL LAW

INTRODUCTION

CHAPTER I

ENGLISH COMMERCIAL LAW: ITS SCOPE AND STRUCTURE

§ 1. **Definition.**—The phrase Commercial Law is generally used to denote those branches of law that relate particularly to rights and duties arising out of commercial transactions and relations.

In treating of the elements of commercial law, however, the subject may conveniently be considered as embracing, also, certain parts of the law of frequent application and special importance in commercial affairs, but which are not exclusively, or even mainly, concerned with mercantile transactions. Thus, the general principles of contract law—which is dealt with in Part I. of this book—may be regarded from this point of view as part of the subject of commercial law; since those general principles are applicable—though with various modifications—to contracts and other transactions relating more particularly to commercial affairs. Contracts and transactions of the kind last mentioned are discussed in this book under the heads of Commercial Contracts (Part II.), Commercial Relations between Persons (Part III.), and Commercial Property and Securities (Part IV.). Under these heads,