

LAW IN AFRICA - NUMBER II

Nigerian Cases and Statutes on Contract and Tort

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The law of contract and tort in Nigeria, whilst until now firmly based on the English common law, is showing signs of independent development. It is doubtful whether English cases are still binding, particularly where there are Nigerian cases on the subject, and there have already been judgments diverging from English precedent. To add to the difficulty, High Court decisions, although persuasive elsewhere, are only binding in the Region of the Court which delivered the judgment.

It is thus becoming increasingly important, in subjects as dependent on precedent as contract and tort, for students at the Nigerian Universities and the Lagos Law School to have a complete collection of the important Nigerian cases on these subjects.

This is basically a book of cases heard and determined before Nigerian Courts, and on appeal therefrom, with references where relevant to the Federal, Regional and Imperial legislation. Each subject is divided into its component topics, and under each of them the appropriate cases are discussed. Appeals heard before the former West African Court of Appeal, including cases not originated from Nigeria but nevertheless binding there, are also dealt with. It is only where there are to date no Nigerian precedents that, for the sake of completeness, the English cases are quoted.

This is a pioneering work and, although designed primarily for law students in Nigeria, it should prove equally valuable to lawyers in practice there, and of interest to students of comparative law throughout the world.

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LAW IN AFRICA - NUMBER 13

Criminal Procedure in Uganda and Kenya

By Douglas Brown, M.A., LL.B.

This is the first book in the Law in Africa series to be published specifically for East Africa and, in fact, the first book at all on criminal procedure in Uganda and Kenya. It comes at an important time in the legal history of those two countries. The traditional division between law based on custom and that based on English principles is disappearing, and a single integrated system is being established in their stead. At the same time a comprehensive system of legal education is being developed.

The rules of criminal procedure are contained in the Codes. This book explains the Codes and is supplementary to them. It is a subject by subject narrative text which is primarily based upon the reported decisions of the Court of Appeal in Eastern Africa, the High Court of Uganda and the Supreme Court of Kenya. It provides a simple, straightforward account of how a criminal trial should be conducted. References in the text are to the appropriate sections of the Uganda Code, and in the footnotes to the corresponding sections of the Kenya Code. Magistrates, advocates, police, administrative officers and all concerned with procedural matters in the courts will welcome this book, and teachers and students at the new Law Colleges will also derive great benefit from it.

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