Reviews and Notices

Civil Procedure of the Trial Court in Historical Perspective. By ROBERT WYNESS MILLAR. New York: The Law Center of New York University for the National Conference of Judicial Councils. 1952. Pp. xvi, 534. ($7.50)

Final Report of the Committee on Supreme Court Practice and Procedure. Presented by the Lord High Chancellor to Parliament by command of Her Majesty July 1953. London: Her Majesty's Stationery Office. 1953. Pp. 380. (11s. net)

One hundred and twenty-five years have elapsed since Lord Brougham's celebrated six-hour speech in the House of Commons inaugurated the movement for reform of civil procedure. During this period some of the landmarks have been the New York (Field) Code of 1848 (the first code of civil procedure in any common-law country), the English Judicature Act of 1873 and the American Federal Rules of 1938. Each of these events owed much to the one that preceded it, and all were unmistakably indebted to the initial impulse of Jeremy Bentham. Perhaps in no other branch of law has the tide of reform crossed the Atlantic to and fro so frequently and so profitably. The latest of these trans-Atlantic exchanges are the two publications by Professor Millar and by the Committee on Supreme Court Practice and Procedure (the so-called Evershed report, after its chairman, Sir Raymond Evershed, Master of the Rolls). The one is the culmination of a life of scholarship devoted to the study of procedural law, the other the work of a committee of twenty-three members that spent six active years upon a detailed study of modern English procedure.

Professor Millar records his purpose to write ". . . a book that will briefly survey the major procedural rules employed in the courts of first instance of this country and England, viewed especially from the standpoint of their historical progression. . . . In this manner of proceeding . . . we are enabled to follow, in its main lines, the course of contemporary reform and to see how far the most approved procedural ideas have come to acceptance." The tremendous scope of this undertaking is only thrown into relief by the

author's modest regret at being unable to embrace the procedures of Louisiana, English Canada and Australia. In the hands of a lesser man this task, even with these limitations, would have been impossible. In the hands of a Wigmore, to whose memory the book is dedicated, it might have resulted in a multi-volumed definitive work. Professor Millar's scholarship, combined with his lively and concise style, has enabled him to write a history of trial procedure which may become a classic. Effective study of any part of the system necessarily presupposes some familiarity with the whole and to meet this difficulty is the design of the opening part of the book. It contains a general account of the development of the Anglo-American trial process from its very beginning in Anglo-Saxon England down to the Judicature Act in England and the Federal Rules of 1938 in the United States. The remainder of the book deals in more or less chronological order with each phase of trial proceedings, from the writ of summons to the writ of execution. In some five hundred readable pages he has drawn his strands back and forth, in time and space, into an impressive tightly woven unity, throwing light on a neglected subject and colour on a dull one.

Thirty years ago Professor Millar commented in a pioneering article upon the absence in Anglo-American law of what he termed "procedural jurisprudence".[1] Bentham and Austin, almost alone among common-law jurists, had been interested in procedural matters, but neither contributed much to a systemization of general principles. With the conspicuous exception of the field of evidence, lit by the genius of Wigmore, Professor Millar had to admit the truth of Kohler's observation that for Anglo-American law there was no science of procedure: its "procedural literature is still on a basis of practical commentary". He then, himself, proceeded partially to remedy this defect with a discussion of the formative principles of civil procedure wherein, borrowing from German procedural science, he outlined the fundamental conceptions which determine the form and character of systems of procedure. His present book further fills the gap in our procedural literature. It does not attempt to create a procedural jurisprudence but it does lay a valuable historical foundation for such an attempt. To this day these two contributions stand virtually alone. The only exceptions are scattered among the literature on the administrative process. The field still awaits its Williston or Wigmore.

The task of creating a procedural jurisprudence will require an unusual array of talent. To the speculative and analytical qualities of a Bentham or an Austin will have to be added the historical and comparative equipment of a Maitland or a Millar. For in few branches of jurisprudence can a knowledge of the past be so im-

[1] Prolegomena, History of Continental Civil Procedure, Continental Legal History Series.

portant for an understanding of the present or a knowledge of other systems so suggestive for the future. When the synthesis comes to be made, a great debt will undoubtedly be owed to the historical perspective provided by Professor Millar.

The common ground shared by the American text and the English committee report is their mutual concern with the administration of justice in the courts. Here the similarity ends. The divergence between them reflects their very different origins and purposes. Where the text is the life work of one man, an academic man, a law teacher, on a subject of great scope and some flexibility, the Evershed report is the product of six years labour by a large committee of twenty-three judges, barristers, solicitors and laymen in response to well defined and rather narrow terms of reference.

The committee was primarily to suggest reforms in the present practice and procedure of the Supreme Court "for the purpose of reducing the cost of litigation and securing greater efficiency and expedition in the despatch of business".[2] As the Hanworth Committee on the Business of the Courts and the Peel Commission on the Despatch of Business at Common Law, 1934-6, had concentrated upon administrative efficiency and despatch of business, respectively, the Evershed Committee regarded as its prime task the problem of costs, both their amount and their incidence.

The main recommendation of the committee concerns the summons for directions, which corresponds roughly to the pre-trial conference in the United States and covers a phase of the trial proceedings occupied by oral discovery in Canada. It was recognized that of all the actions started only a small fraction ever come to trial and that it is at the trial that most of the costs are incurred. If, therefore, the real area in dispute could be narrowed and defined at a stage as early as possible, two beneficial results would follow, both culminating in reduced costs. In the cases that are never tried, there would be earlier settlements and, in the cases that are, there would be shorter trials. To accomplish this end of limiting the issues that have to be tried and, therefore, the facts that have to be proved at trial, it was recommended that the existing summons for direction be strengthened and made a compulsory step in the action. The hearing would be before a master with power "generally to make such order as may be just for the simplification of the issues in the action or such as may aid in the disposition thereof or any of them".[3] The committee recognized and pointed out the defects of this "new approach". In the first place the American experience makes it clear that the success of these pre-trial conferences depends for the most part upon the personality of the judge or master, and his willingness and aptitude for taking an affirmative, as opposed to the traditional negative, attitude to

[2] Evershed report, p. 4. [3] *Ibid.*, p. 78.

judicial proceedings. Secondly, the summons for directions may tend to become a dress rehearsal for the trial and the costs saved at the trial will be offset by the costs of instructing counsel on the pre-trial. In this connection it was observed that the economic utility of the pre-trial conference in the United States, as of oral discovery in Canada, is closely related to the fact of the fusion in both countries of the two branches of the profession. "It may be not unreasonable for a litigant [in England] to wonder why he must employ and pay two or sometimes three lawyers, namely, his solicitor, his junior barrister and (if one is engaged) his Queen's Counsel."[4]

This problem of the separation of the profession into two branches crops up from time to time throughout the report as an impediment to effective reform. The committee therefore point out that they were informed by the Lord Chancellor that they should not seek "to disturb the existing organization of the English system, including the two branches of the legal profession, the Bar and the solicitors". That this was an important, if not bothersome, limitation appears from their statement that: "If our examination, which we claim at least to have been thorough, is shown to have found no effective means of reducing costs, it appears to us at any rate that further search will not be likely to prove fruitful within the framework of our legal institutions as we know them".[5] Not the least of the consequences of such a limited frame of reference is that it reduced the practicability of borrowing proven cost-saving procedures from foreign systems based on different institutions. "And so, though we sought guidance from many quarters, e.g., from Australia, Canada and the United States of America (and the witnesses that we heard included a Justice of the Supreme Court of the United States and a Judge of British Columbia), we have not in general felt able to recommend the adoption for the purposes of English procedure of expedients which have found a place in the practice of other countries."[6]

Of what significance is the report to Canadians? The barrier that renders the procedures in our common-law provinces and in other foreign systems of dubious value in England cuts both ways and also tends to minimize the value of the Evershed recommendations in Canada. However, the reasons that diminish the value of the recommendations do not likewise diminish the value of the report as a whole. The committee have thoroughly explored each phase of the judicial process, including execution, and in so doing have asked a number of important and difficult questions and suggested many interesting solutions.[7] If the solutions are sometimes

[4] *Ibid.*, p. 14. [5] *Ibid.*, p. 25. [6] *Ibid.*, p. 12.

[7] An indication of the scope and variety of their work is that the present report was preceded by three interim reports dealing with special and sometimes highly technical phases of procedure, such as the length of va-

inappropriate for Canada, the questions never are. They should also be asked here.

For instance, they have asked whether it is not time for a thorough review and re-writing of the procedural code. The present rules are, by and large, of the same age as the Supreme Court, now two generations old, and the many additions and amendments have inevitably produced a patch-work code. Furthermore, from their inception, the rules were but a first draft of a common procedure for the newly-created, single, court. If the English procedural code is deemed out of step with the times and due for a thorough overhaul, may this not also be true of our provincial codes, which by and large follow English practice and procedure? And to the extent that the provinces have departed from the English model and created local divergencies, may there not be a need for a model code to act as bell-wether? In the English unitary system the problem of local diversity does not exist, and in the United States the Federal Rules operate as a unifying force. The Canadian legal system falls in between: it has neither the unity of the English nor the federal courts of broad trial jurisdiction of the Americans. The thorough reconsideration of the basic purposes of the judicial process that would necessarily precede the creation of such a model code could be another valuable contribution towards the building of Professor Millar's procedural jurisprudence.

Another significant question concerns the incidence of costs. Under the English and Canadian systems the successful party is prima facie entitled to recover a reasonable amount in respect of his costs. This principle of quasi indemnity is by no means generally accepted in other civilized countries, such as France and the United States. The report concedes the difficulty in rationalising the basis for the English rule, at least in those cases where the merits are nicely balanced. And it is precisely this class of case which takes the longest time to try and involves the greatest expense. The report rejects the American system, where there is no right at all to recover costs, on the ground that its inevitable effect would be to deny justice to a number of litigants outside the legal aid scheme who simply could not afford to go to law entirely at their own expense. So the problem remains, and will perhaps persist so long as the adversary system is retained and counsel are paid by the parties they represent. It is arguable that an officer of the court is as much a member of the judicial branch of government as a member of parliament is a member of the legislative branch. The latter is paid by the government, not by the constituents he represents.

Still another matter that deserves attention is the high cost of

cations, fixed dates for trials, powers and duties of official referees. See *ibid.*, p. 7.

appeals, often exceeding those incurred at trial. This was felt to be attributable in large part to the prevailing practice of unlimited oral argument. In contrast, many American appellate courts use a system of written briefs containing a full argument coupled with oral arguments of a strictly limited character, usually of not more than one hour for each side. Although this latter method admittedly saves an enormous amount of time, the strongest objection to its introduction in England was once again the division between barristers and solicitors. American counsel, with a trained office staff at his disposal, can have the brief prepared by a more junior member of his firm at a correspondingly reduced fee. English counsel would have to either prepare the brief himself or settle it with the solicitor who prepared it. In either case, the time consumed would probably be equivalent to that occupied in conducting oral argument and therefore no marked reduction in the fee could be expected. We in Canada, where as in the United States there is no rigid division of the profession, are in a position to take advantage of the system of written briefs wherever it seems likely to be of benefit. Already briefs are used in the Supreme Court of Canada. But even the Supreme Court factum is not regarded as a substitute for oral argument, which still remains more or less unlimited. Sheer pressure of business may yet compel our highest court to require full and complete written argument and to restrict severely the time available for oral argument.

Another point of interest to Canadians is the frequent reference to the present trend in England to arbitration among commercial men. The committee regret this trend on the ground that the courts may get out of touch with current business practice. Although they attribute the movement in part at least to the high cost of litigation, one wonders whether or not this is so. Is arbitration significantly cheaper? In *Hillas* v. *Arcos*[8] Scrutton L.J. suggested another reason: ". . . I regret that in many commercial matters the English law and the practice of commercial men are getting wider apart, with the result that commercial business is leaving the Courts and being decided by commercial arbitrators with infrequent reference to the Courts". In other words, the fact that the courts may be out of touch with current business practice is the cause, not the result, of the trend to arbitration. The relevant questions for Canadian lawyers are: Is there the same tendency to arbitration in Canada? If so, is it for the same reasons and, if not, why not? A casual reading of our reports indicates that, in fact, there is very little commercial litigation in Canada. Does this mean that Canadian businessmen prefer to arbitrate or that they prefer neither to litigate nor arbitrate, but to settle?

One comes away from a reading of these two books with a

[8] (1932), 36 Com. Cas. 353.

sense of the importance of procedural law and its reform. The first object of the judicial process is to seek not final answers but an acceptable procedure for getting acceptable answers. Changes in the procedure by which answers are reached, and by which they may be corrected, can be of more significance than changes in substantive law. And not only is procedural reform important, it is also relatively simple to implement. Substantive law reform must overcome either stare decisis or legislative apathy. Procedural reform faces only the inertia of the profession. Of course, procedural reform is not a panacea. There are other problems connected with the administration of justice of equal or greater significance, such as the organization of the courts and distribution of business among them, and the organization and training of the legal profession, to mention only two of the more important ones. And perhaps the lesson of the Evershed report is that these problems are all closely related and that effective reform in one area depends to a great extent on simultaneous reform in the others.

D. G. KILGOUR*

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La Satisfaction comme Mode de Réparation en Droit International. By PIERRE ANDRÉ BISSONNETTE. Thèse No. 91 de l'Institut Universitaire de Hautes Etudes Internationales. Geneva. 1952. Pp. vii, 185. (No price given)

In this thesis, Dr. Bissonnette, who is an obvious Kelsonian—"The legislative authority of a State springs from international law which delegates to the municipal juridical order the ability to fulfil its norms"—seeks to show that *satisfaction*, which he regards as the method of reparation for moral injury suffered by a State, is as much a legal remedy as restitution or damages. It is difficult to do this convincingly, however, because moral injury frequently, if not always, forms part of the material injury for which restitution or damages is claimed. The difficulty is further enhanced when one bears in mind, as Dr. Bissonnette himself makes abundantly clear, that *satisfaction* is more often the result of diplomatic exchanges than the type of award made by a judicial tribunal.

From the heading of satisfaction the learned author excludes restitution and damages, and deals instead with such matters as a demand for the repeal of a law or an apology. The thesis is a veritable mine of incidents involving apologies, explanations, the expression of regrets—which the author regards as a mere act of courtesy—salutes to the flag, disavowals, the despatch of expiatory missions, publications in the official gazette, the punishment

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of those guilty of the illicit act, and guarantees for future conduct. Furthermore, although damages have been expressly excluded from consideration, it appears that satisfaction may in fact be of a pecuniary character by way of damages or indemnity. Generally, however, it seems that explanations, the punishment of the offender and guarantees for the future go together and constitute the most usual form of satisfaction.

If there be any fault in Dr. Bissonnette's thesis, it is that it is more in the nature of a catalogue than an analysis, but perhaps this is understandable since in international law, as the author points out, the mode of reparation and the nature of satisfaction are, generally speaking, completely within the discretion of the injured State.

L. C. GREEN*

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Provincial Sales Taxes: Report of a Survey of Retail Sales Taxes in Canada. By JOHN F. DUE. Canadian Tax Papers, No. 7. Toronto: Canadian Tax Foundation. 1953. Pp. xii, 231. ($2.50)

Curiously enough provincial sales taxes in Canada have received little serious attention. They are relatively recent innovations and when enacted aroused serious opposition, partly from the retail trade (which had the nuisance and expense of collecting them) and partly from labour unions (the members of which felt they paid a disproportionate part of them). They produce thirty per cent of the tax revenue of the five provinces in which thay are in effect—British Columbia, Saskatchewan, Quebec, New Brunswick and Newfoundland—or a total of about $94,000,000 annually. Moreover, from the start, there has been doubt about their constitutionality. It is perhaps indicative of the lack of interest that, although the enabling statutes involve some practically insoluble problems of interpretation, there has been almost no litigation under them.

The Canadian Tax Foundation has done an excellent service by sponsoring a serious study of this neglected field. An expert qualified to undertake the work must have been difficult to find and it is fortunate for us all that Professor Due, the Professor of Economics at the University of Illinois, combines the qualities of mind necessary for this pioneering venture. His report, now published as Tax Paper No. 7, is worthy to stand beside his previous report on the General Manufacturers Sales Tax in Canada (Tax Paper No. 3) and the other publications of the Foundation. He ranges with equal facility over everything from broad economic

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and constitutional issues to the details of the book-keeping machinery for checking returns from licence holders.

But the author has succeeded in concentrating on the main features and has not allowed himself to be distracted by the many provocative anomalies that are bound to flourish under legislation of this type. Although interesting to the specialist, these anomalies are often the inevitable result of the necessity of drawing hard-and-fast lines between taxable and non-taxable transactions where no logical basis for drawing lines exists. These difficulties of interpretation naturally cause irritation and complaint, but they arise in a relatively small part of the field and consequently are not of the overall importance that the lawyer or accountant may suppose. Throughout the author writes without using the sort of jargon with which economists so often succeed in making simple situations seem incomprehensible.

The main fact that emerges from this report is that provincial sales taxes have been adopted by necessity rather than because they are commendable or popular forms of taxation. All provinces have faced heavily increased expenditures as a result of the increased demand for welfare services and the effects of inflation. As the author says, "evaluation of a tax must always be made in terms of alternatives". Under the British North America Act the provinces are restricted to the levying of direct taxes, but there are well-known difficulties in provincial income taxes, and property taxes must be reserved, more or less, for the municipalities. The remaining scope for direct taxation by the provinces is limited. The author concludes that, if the federal structure of government is to be retained, it is essential that the provinces have an opportunity to collect themselves an important part of the revenue they require. In this sense provincial sales taxes are a matter of financial necessity; in Professor Due's phrase, they are "part of the price that must be paid to obtain the advantages of the federal structure of government".

It is only by stretching the definition of "direct" taxes that a sales tax can be included and some complications are introduced into the provincial acts to bolster the conception of the retailer as being merely an agent collecting tax for the government. Indeed, this whole study illustrates the difficulty of distinguishing between the practical effects of direct and indirect levies. The distinction is clear enough in theory. But the taxpayer usually succeeds in passing on to others some of the burden of the direct taxes levied on him (by increases in the price of his goods, for example) and, on the other hand, it is probably never possible to pass on the entire burden of a so-called "indirect" tax. In any event the real incidence of any tax seems to be almost untraceable. In the contentious field of provincial-federal tax relations, one of the complicating features

is the reliance placed on the distinction between direct and indirect taxes—a distinction which is usually irrelevant in practice.

Professor Due's general judgment on the taxes is favourable, although he does point out that a combination of federal and provincial sales taxes in the same jurisdiction places an over-reliance on this type of levy. His suggestion is that the federal government should abandon the sales-tax field to the provinces. As a less desirable but probably more feasible alternative, he believes the federal and provincial levies should be combined at the retail level and collected by the provinces. Obviously sales taxes at either the retail or the manufacturers level present serious difficulties. Whatever may be said for or against Professor Due's preference for the retail type of levy, it surely cannot be right to have sales taxes at both levels.

At no stage does the author side-step the difficulty of reaching conclusions and he has recommendations to make on every aspect of the taxes, assisted by the experience of the thirty-one states of the United States with similar legislation. For example, there is a thoughtful discussion of the obsession of the sales-tax authorities with physical quantities. The authorities attempt to distinguish payments for services from payments for goods, and to tax the latter but not the former. In practice the distinction leads to all sorts of confusion, and it is doubtful whether it has any logical basis to begin with. Presumably taxes should be based either on income or on expenditure, and much can be said for a combination of both types in any economy. But it is not easy to see why an expenditure on physical goods is taxed any more appropriately than an expenditure on services. Professor Due concludes that most services should be taxed, although he does recognize the administrative difficulty of reaching payments for domestic and some other types of service. These he would exempt.

One of the very difficult phases of this subject is of course the question of exemptions. Exemptions permit the operation of equity in the system—for example, the exemption of food (a common one) tends to make the tax less onerous on lower-income groups—but, as Professor Due recognizes, they complicate administration. At every stage there is a certain conflict between simplicity and equity, many aspects of which are covered in Professor Due's book. His conclusion is that the broader the base of the tax (that is, the fewer the exemptions), the better the tax.

Emerging from this study is an impression of the splendid job of administration that has been done in all provinces, and for that, in view of the administrative difficulties involved, we should be thankful. The authorities seem to have co-operated well with the trade. As the author recognizes, it is neither feasible nor desirable to incorporate elaborate details in the acts themselves: they require working out in regulations. What the public needs is a single well-

indexed volume setting forth the regulations, and in all provinces except Quebec a serious attempt has been made to cope with the problem. In the province of Quebec practically nothing has been done to provide general information in accessible form.

Although the taxes dealt with in the volume under review are popularly referred to as "sales taxes", this is the official name only in Quebec. In other provinces they are designated by the use to which the revenues are put, obviously in an attempt to make them more palatable by emphasizing their welfare purposes. For the record, the official designations are: British Columbia—Social Security and Municipal Aid Tax; Saskatchewan—Education and Hospitalisation Tax; Quebec—Retail Sales Tax; New Brunswick —Social Services and Education Tax; and Newfoundland—Social Security Assessment. The oldest act is Saskatchewan's, which was introduced in 1937. The Quebec act went into effect in 1940 and the other three were enacted after the war.

HOWARD I. ROSS*

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A Book of Trials. By THE RT. HON. SIR TRAVERS HUMPHREYS. Melbourne, London, Toronto: William Heinemann Ltd. Toronto: British Book Service (Canada) Ltd. 1953. Pp. xxiv, 243. ($3.50)

The author writes from an experience of almost forty years at the English bar and just short of a further quarter century on the bench. At the time of his retirement in 1952 he was senior judge of the Court of King's Bench.

The book is not intended to be an autobiography, but rather a collection of reflections and recollections of interesting criminal cases with which Sir Travers was connected either as counsel or as presiding judge and of two earlier cases, *Belt* v. *Lawes* and the *Colin Campbell* case, in both of which his family played a part before he was called to the bar. In addition, there is a most interesting short analysis of the trial of Lord Cochrane in 1814, which the author characterizes as a probable gross miscarriage of justice, owing in part to the fact that the same counsel represented Cochrane and his two co-defendants.

The cases described form a considerable proportion of the famous English criminal trials from Oscar Wilde's in 1895 to the trial of James Camb in the so-called port-hole murder in 1948. As the entire book runs to less than 250 pages, the author necessarily disposes rather briefly of each of the twenty-nine cases he discusses. Many of them have been dealt with in far greater detail in such

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books as Marjoribanks' *For the Defence* and *Life of Lord Carson*, Falstead and Muir's *A Memoir of a Public Prosecutor* and Sir Patrick Hastings' *Cases in Court*, and in the Notable British Trials Series. One might regret that the author has not given us more details of at least some of these famous trials with which he was so intimately connected.

Mr. Justice Humphreys writes in an engaging manner with considerable humour. For instance, in the discussion of the *Colin Campbell* case, where Campbell successfully defended a divorce suit brought by his wife on the ground of his alleged adultery with a house-maid called Amelia Watson, thanks largely to the medical evidence of a Dr. Godson who had examined Watson, the author quotes the following limerick that went the round of the London clubs at the time:

> Amelia Watson is my name,
> And housemaid is my station;
> Virgo Intacta I'm proclaimed,
> And Godson's my salvation.

This book is interesting, instructive and amusing.

GEORGE S. CHALLIES*

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Learning the Law. By GLANVILLE L. WILLIAMS. Fourth edition. London: Stevens & Sons Limited. Toronto: The Carswell Company, Limited. 1953. Pp. xiv, 210. ($2.75 net)

A First Book of English Law. By O. HOOD PHILLIPS. Second edition. London: Sweet & Maxwell Limited. Toronto: The Carswell Company, Limited. 1953. Pp. xxiv, 293. ($3.25 net)

These two little books, intended for beginning law students, have simply been brought up to date and certain errors corrected. Neither shows much change. In *Phillips* there is some rewriting of the paragraphs on the forms of action, on the jurisdiction of the Judicial Committee of the Privy Council and on the interpretation of statutes. Both authors have had to revise their notes on the current English law reports in view of the reorganization during the last few years.

But apart from these necessary changes all that was said of *Phillips* in my review of the first edition (1949), 27 Can. Bar Rev. 868, still stands, with the exception of the comments on the author's

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statement as to the "value" of the Judicial Committee, which has now disappeared. I should like to repeat one sentence from that review, remembering that part II of the book contains a very full and accurate discussion of the sources, primary and otherwise, of English law: "The absence of a discussion of the place of periodical literature is almost shocking in the light of the full discussion of other sources". I now delete the "almost". The misleading statement in the book as to the use of dates in citations still appears at pages 151-2. A quick check of any volume of the Law Journal Reports will show that the citation given—(1922), 91 L.J.K.B. 75—is wrong and that the date should read "1921", with the result that the illustration is useless for what it is supposed to show. At page 151, on another point, an obvious error is reprinted from pages 137 and 138 of the first edition: "1865" should read "1875" in lines three and nineteen. At page 153, the statement that *Bowles* v. *Bank of England* was "decided in the Chancery Division in 1913" should refer to 1912. The subsequent citation is therefore made inaccurate. It is believed that the series known as Cox's Criminal Cases has come to an end (p. 154). The volume number should be given in the citation of Lloyd's List Law Reports for the series beginning in 1951 (p. 154), and the phrase directed to that series ("since 1952") should read "since 1951". This section had to be revised in any event because of changes in the various law reports since the last edition, but the revision cannot have been very carefully done. All the errors on page 154 are new. These may seem small points, but this section is a detailed discussion of law reports and the correct methods of citation. Surely the materials could be accurate?

Dr. Williams' little book continues to be the most readable and, in my opinion, the best introductory book for students at the beginning of their law studies. Some of its discussions of the courts, of the sources of the law, and of the lawyers' tools are not as full as those in Phillips, but they are more specifically directed to the mind and problems of the intended reader. And the warnings and suggestions throughout merit attention. There are no bald statements which may forever prejudice fresh minds on a matter of inconsequence, such as Phillips makes of the commercial series of reports at page 152 ("they are less accurate").

Both books deserve to be read by every beginning student. Portions of each, especially Williams, should be re-read from time to time.

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