Correspondence

Criteria for Appointments to the Bench in Canada

TO THE EDITOR:

My attention has recently been directed to discussion, centering in British Columbia, on the question whether major judicial appointments, including the office of chief justice, should be made only by promotion of existing members of the bench, or whether they should be made from outside the bench. An issue of The Daily Colonist (Victoria, B.C., Friday, July 15th, 1955) contains a lead article, styled somewhat euphemistically "Extra-Mural Selections", discussing in this regard the recent appointments of Brigadier Sherwood Lett as Chief Justice of the Supreme Court of British Columbia and of Finance Minister Abbott to the Supreme Court of Canada.

The nature and extent of qualifications and the procedures for appointment to the bench are matters that have been too little discussed in Canada. General J. A. Clark, the then President of the Canadian Bar Association, made some thoughtful and interesting proposals in this regard several years back.[1] The burden of General Clark's suggestions, as I understand them, was first that the Canadian government should abandon the practice of having the cabinet as a whole pass on each appointment to the bench and leave this instead to the professional legal member of the cabinet, the attorney-general; and, secondly, that the attorney-general should adopt a fixed practice of consulting with the chief justice of the court concerned and also the leaders of the local bar before making a selection for any court. I expressed some reservations regarding these proposals at the time they were advanced, mainly because I believed they might introduce an unnecessary rigidity into the processes of judicial selection at a time when Canada, in view of the new responsibilities of the Canadian Supreme Court following the abolition of the appeal to the Privy

[1] Clark, Appointments to the Bench (1952), 30 Can. Bar Rev. 28; Clark, The President's Address (1952), 30 Can. Bar Rev. 651; and cf. McWhinney, Judicial Appointments: A Qualified Dissent (1952), 30 Can. Bar Rev. 959.

Council, urgently needed judges of the broadest intellectual vision to undertake the development of a distinctively Canadian jurisprudence. My remarks, however, were directed to the more limited (though, in my view, a vital) aspect of the question, namely, appointments at the final appellate tribunal level, to the Supreme Court of Canada itself.

In approaching this subject again, I see no reason at all to depart from my original views so far as they relate to the Canadian Supreme Court. The major issues that come before such a court turn ultimately on questions of policy, over and beyond black-letter law, and demand, it is suggested, intellectual qualities transcending strict professional expertise, in particular the ability to perceive and analyze long-range national trends and the disposition to shape legal formulas accordingly to the solution of the social issues of the day. These special skills of trend-thinking and policy-making are found to a notable extent (though not, of course, exclusively) in the successful man of affairs, and the disposition of American presidents in recent years (especially Presidents Roosevelt and Truman, but President Eisenhower and his advisers, too, for that matter—note the selection of Governor Warren of California as the successor to Chief Justice Vinson) to reach into public life for their judicial nominees becomes readily understandable in this light. Of course the ideal would be a nominee who combined the developed skills and qualifications of a leader of the professional bar and of a leader in public life, but this combination is rarely come by, notwithstanding such great figures as Charles Evans Hughes and Oliver Wendell Holmes Jr. of the Supreme Court of the United States, Lord Sankey as Lord Chancellor in the United Kingdom, Sir Isaac Isaacs and Sir John Latham of the High Court of Australia, and Mr. Justice Fazl Ali, who has recently retired from the Supreme Court of India. Even the American experiments with academicians who combined proven learning with a reputation as pundits on public issues—*vide* the former law professors and high ranking civil servants, Frankfurter and Douglas, of the current Supreme Court bench—is probably not a completely unqualified success if one may judge from the number and virulence of the critics of both these men.

Actually, in practice an attorney-general, in selecting nominees for the bench, will surely never be presented with a pure, dichotomous choice between strict legal learning unrelieved by a scintilla of originality or wit, on the one hand, and experience in public affairs unrelieved by knowledge of law, on the other. But in the difficult process of balancing the qualifications for appointment to a tribunal at the final appellate level, like the Canadian Supreme Court, I would still stress the advantages within reason of a leavening of experience in public affairs, remembering the

inns-of-court lawyers' tortured constructions of the Canadian constitution in the Watson-Haldane era,[2] or the heaven of juristic concepts into which the strict equity lawyers on the High Court of Australia over the past generation have taken the Australian constitution.[3] In this view, the appointment of men with Mr. Abbott's vast public experience to the Canadian Supreme Court, especially when buttressed, as it is here, by proven professional competence, is a good sign for the future development of Canadian constitutional jurisprudence.

Other important questions, however, remain for consideration, namely, the qualifications and procedures for appointment to courts lower in rank than the Canadian Supreme Court, including the Exchequer Court and the supreme courts and other tribunals of the provinces; and also the question whether selections for judicial office should be made on the basis of promotion of existing judges, whether the advancement of an associate justice of a court to its chief justiceship or the promotion of a member of an inferior tribunal to a superior one.

As to the issue of promotion, two conflicting propositions are in evidence. The so-called British view is against any principle of judicial promotions at all. But this position has not been adhered to absolutely in the United Kingdom in modern times, and in any case seems to rest on a historical premise that is no longer valid today, namely, the notion that once you sanction the promotion of judges you hold out to them the possibility of a reward for favours done to the executive — this might have made sense in England at the time of the Tudors or the Stuarts, but surely not today with the current high standards of judicial ethics and the major correctives of informed professional and public opinion. And, much more important at the present day, it tends to ignore completely the profoundly educational effect of continuing service on a bench in the development of judicial wisdom. After all, Oliver Wendell Holmes Jr. came to the United States Supreme Court following a decade of testing service on a state supreme court (Massachusetts), and it is generally considered one of the tragedies of modern American jurisprudence that neither Learned Hand nor his cousin, Augustus Hand, ever made the final jump as a federal judge to the United States Supreme Court. Their misfortune perhaps was to be Republicans too liberal for the Republican Presidents who preceded the New Deal era and, once the Democratic New Deal was reached, increasing old age and the

[2] See for example MacDonald, The Constitution in a Changing World (1948), 26 Can. Bar Rev. 21, at p. 44; Scott, The Consequences of the Privy Council Decisions (1937), 15 Can. Bar Rev. 485, at p. 494.

[3] The term, of course, is Ihering's. For a brilliant development of this thesis, see Stone, A Government of Laws and Yet of Men, The Australian Commerce Power (1950), 25 N.Y.U.L.R. 451.

fairly established tradition against American presidents making appointments outside their own party ranks combined to deny these great jurists the final honour that their intellectual distinction deserved.

Promotions within the judicial hierarchy are well accepted in the United States, and in fact are relatively common, particularly from the federal district courts to the federal circuit courts (the courts next in rank to the Supreme Court), where excellent results seem to have been achieved; though it is to be noted that the final step from the circuit courts to the Supreme Court of the United States is sufficiently rare in recent years to have excited comment, all of it favourable, when the latest Supreme Court nominee, Harlan, was promoted from the 2nd Circuit Court after a spell of several months there. The post of chief judge in each of the U.S. circuit courts goes strictly according to seniority among the existing members of the court concerned, though the tendency in making appointments to the chief justiceship of the United States Supreme Court has been generally (note the case of the last two chief justices, Vinson and Warren), but not always (Vinson's predecessor, Stone, was advanced from an associate justiceship of the Supreme Court), to go outside existing members of the court. The difference lies to a considerable extent in the nature and responsibilities of the two courts. The circuit courts of the United States are concerned to a great extent, as detailed canvassing of their business from year to year shows, with private-law questions of great complexity and difficulty, in which the policy issues are less obtrusive, and for that reason these courts are generally composed of lawyers of high professional expertise. A court like the United States Supreme Court though, containing as it does men of greatly diverging background, training and philosophy, may present at times real problems of internal organization, requiring a chief justice of more than ordinary administrative ability and diplomacy. Harlan Stone, though one of the greatest associate justices of the Supreme Court in modern times (in the period 1925-1941), is not generally considered to have been a successful chief justice after his promotion to that office in 1941,[4] and the *raisons d'être* of the Vinson appointment after Stone's death in 1946 and of the Warren appointment after Vinson's death in 1953, both appointments from outside the court's ranks, are to a considerable extent to be found in the desire on the part of the executive to end the disharmony, and incidental inefficiency in day-by-day routine functions, that grew up under Chief Justice Stone's loose, if benign, administration. The improvement in both these respects under Chief Justice Vinson was noticeable, and Chief Justice

[4] See in this regard McWhinney, Judicial Concurrences and Dissents: A Comparative View of Opinion-writing in Final Appellate Tribunals (1953), 31 Can. Bar Rev. 595, at pp. 617-9.

Warren has made an excellent beginning, though it is unlikely that history will record either of them as approaching Charles Evans Hughes' unique combination of transcending intellect and administrative smoothness in his term as chief justice from 1930 to 1941.

On a court not presenting the same extreme demands for qualities of personal leadership, quite apart from professional qualifications, as the United States Supreme Court, that is on courts of intermediate and primary jurisdiction, there is surely much to be said for a regular pattern of filling the chief justiceship according to seniority, particularly as it would also eliminate personal rivalries and disappointed ambitions among the existing members of the bench. At this level, I believe, there is a lot to be said for executive consultation with existing members of the bench and with local bar leaders. In making comparisons with the United States it must never be forgotten that when the executive makes federal judicial appointments it is not quite unbridled in its discretion. The formal constitutional requirement of Senate confirmation of executive nominations to the bench, occasionally exercised in the form of a veto in the past, can be a real check to purely capricious nominations to the federal bench. Almost as important is the informal check presented by the publicity attending the Senate Judiciary Committee's official inquiry before any action for confirmation. In fact, responding to the existence of these checks, the executive is normally very sensitive to the desirability of ensuring that nominees have at least an adequate minimum of qualifications, personal and professional, before their names are submitted to the Senate, and to this end usually confers beforehand with leading members of the judiciary and the bar. Consultations of this informal nature, conducted with restraint on both sides, could be useful in Canada.

But the element of self-restraint is vital, and attorney-general, bench and bar, in any consultations, should be at pains to avoid carping criticisms or the taking of partisan points. Mr. A. B. Piddington, then an already distinguished lawyer, voluntarily resigned from the High Court of Australia in 1914 immediately after his appointment—he was the first High Court justice in Australia appointed by a Labour government—following outspoken criticism of the appointment, much of it of a partisan nature, as it now seems, by the professional bar. It was an era more sensitive about standards in public life than the present, of course, but in view of the intellectual brilliance and the personal integrity of Piddington's subsequent professional career, he can be counted, historically, as a loss that the court could ill afford.

EDWARD MCWHINNEY*

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Evidence Obtained by the Police Illegally

TO THE EDITOR:

Not all of us who deplore the abolition of appeals to the Privy Council are depressed by the Judicial Committee's decision in *Kuruma* v. *Regina*, the subject of Professor Franck's comment in the June-July issue. Indeed, if ever facts press for a principle of exclusion of evidence, illegally obtained, those in the *Kuruma* case do. Yet no matter how attractive the principle might look in that case, it could only be arrived at by a distortion of those classic and logical rules upon which the law of evidence has been formulated.

While the overzealous policeman and the mushrooming police power should be curbed, Professor Franck's choice of the law of evidence as the weapon with which to do so is both arbitrary and artificial. True that the police power must constantly be watched; true that common-law actions and statutory punishments against the police power acting in excess of authority are ineffective; true there is no deterrent as effective as the exclusion of evidence illegally obtained—is not a Bill of Rights the whole answer, rather than the common law of evidence? Surely legislation directly aimed at the problem is superior to a pragmatic rationalization of the laws of evidence.

From an evidentiary point of view there is no true analogy between a confession illegally obtained and direct factual evidence illegally obtained. The probative distinction lies simply in the fact that the former is hearsay and thus inadmissible, the latter is direct and thus admissible. The voluntary confession is admitted as an *exception* to the hearsay rule because a special onus has been discharged: by proving it voluntarily made the general hearsay objection is vitiated. The involuntary confession is inadmissible because the special onus has not been discharged and the general hearsay objection still obtains (enhanced though it may be by the methods used in obtaining the confession). Direct factual evidence directly obtained is fundamentally admissible; and if illegally obtained is still fundamentally admissible. The hearsay objection which governs the involuntary confession is nowhere involved.

It could be forcefully argued that little credence should be given the testimony of the man in blue (or in the *Kuruma* case, presumably, the man in khaki) who used illegal methods in obtaining his evidence. But this is a matter, not of admissibility, but of credibility, a matter for the trial tribunal. This seems to be the main point of Professor Franck's comment: not that the evidence is to be mistrusted in these circumstances but that the policeman is to be mistrusted. There is much to be said for this view. It might be well for a court to look with skeptical eye upon such testimony.

The policeman who lightly regards the laws governing search may lightly regard the laws governing oaths. The prevailing trend is however in the other direction and the blue uniform is distinctly accorded a high degree of credibility by the magistracy.

While I share with Professor Franck his distaste of evidence illegally obtained, I cannot join with him in his choice of vehicle to secure its abolition. The pragmatic approach may bring more problems than it solves and smacks of jurisprudence foreign to our common law. The whole answer to the *Kuruma* case lies in a Bill of Rights.

SYDNEY PAIKIN*

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Unfusing the Profession

TO THE EDITOR:

If the New Zealand practice were to be adopted it might help in establishing an Advocates' Library as proposed by Mr. Joseph Sedgwick, Q.C. I understand this practice to be that on taking silk a man must sever all connection with his firm and practise only as counsel.

This would be a revolutionary idea here and highly unpopular in those provinces where many Queen's Counsel have not had a gown on their backs since their call. Possibly H. M. the Queen might consent to the creation of Queen's Solicitors or Queen's Attorneys or Queen's Remembrancers—call them what you will —so that those eminent as solicitors could be honoured as such and the dignity of silk be reserved for those who are counsel.

Mr. Sedgwick in his interesting letter in the April issue is concerned mainly with advocacy, but there are other substantial advantages in a divorce between barristers and solicitors.

In England barristers tend to specialize and much of the work of the bar is not directly concerned with litigation but with giving opinions. The solicitor, like the family doctor, should have a broad general knowledge, but behind and available to him are the members of the bar who fulfil a parallel function to the medical or surgical specialists. The solicitor has a large volume of diverse work to get through and he cannot afford to drop everything for a day or two in order to do some concentrated research into a knotty problem of, say, bankruptcy law. Instead he dictates a "Case to Counsel to advise". The solicitor will send the case to advise to a barrister who has a reputation in the field of bankruptcy law. By reason of his specialized knowledge and wider experience of that field counsel can probably write his opinion in a fraction of the time which the solicitor would have spent on re-

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search. In the result the client has the benefit of the opinion of a man experienced in bankruptcy law and at less cost than if the solicitor had done it himself.

In the same way knotty problems of conveyancing or patent law or corporation law or divorce or common law can be and are regularly referred to counsel who are recognized as experienced in the appropriate field.

The advantage of this system is that the solicitor who practises alone or the small firm can give as good all round service to the client as the largest firm, whereas I do not think that this is now so in Canada due to reluctance—no doubt for the reason given by Mr. Sedgwick—to call in the man with the specialized knowledge.

I do not personally believe that the severance of the two professions is now possible in Canada—the existing practice and tradition would be far too strong to disrupt. I think that over the years the tendency will be for firms in the large centers to grow bigger and bigger and from within their own resources to supply the advocates and the various specialists. The small firm and the solicitor on his own will in the large centers increasingly find that it is far more profitable to limit their scope to, say, conveyancing and estate work and to refer everything else on an agency basis to one of the larger firms. I believe too that the solicitor who practises in the country or in the small center will come to realize that, while he cannot himself specialize, it will pay him not to wrestle with complicated problems but to dump them into the lap of a large firm (in the nearest big center) which has the manpower available to cope efficiently and economically with it.

This practice already exists to some extent but will I believe of necessity grow in volume.

ALASTAIR R. PATERSON*

TO THE EDITOR:

In the second last paragraph of Mr. Sedgwick's letter in the April issue he says: "And, finally, such establishments could in time give meaning to the now almost meaningless dignity of silk".

I am disappointed to see Mr. Sedgwick use that word "meaningless", as I have been an aspirant for the honour of becoming one of His (or Her) Majesty's Counsel Learned in the Law for many years. In fact I have been aspiring under five sovereigns, to wit: Edward VII, George V, Edward VIII, George VI and Elizabeth II. I never bothered Queen Victoria about it as I was too young to be given the honour at that time.

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As a law student of course I looked forward to being first of all just a plain lawyer, to start with. From there I expected to go up the scale to Chief Justice of the Supreme Court of Canada. Alas, the years have flown swiftly by and soon it will be too late, so I am now concentrating on becoming a Queen's Counsel. I am no longer bothering about a judgeship. I cannot stand any further disappointments.

My first real contact with King's Counsel in the mass was when I, a student-at-law, peered into the banquet room of the old St. Charles Restaurant on Yonge Street to see there a couple of hundred members of the bar stuffing themselves with rare food and wines in celebration of their recent elevation to the dignity of the silk. It seemed to me then to augur well for my chances of a similar honour, because in that glorious year over three hundred K.C.'s were appointed in one batch. As Osgoode Hall was only spewing forth fifty or sixty graduates a year, it was a simple matter of mathematics that my own turn could soon come. I have, after considering the situation for the intervening half century, finally reached the conclusion that the science of mathematics has failed me too.

Have you heard that yarn about Sir John A. Macdonald having appointed a Liberal to a judgeship? Well, I don't believe it either, but I quote it to any friendly members of the legislature representing the opposite party to my own and urge them to show the same lofty, undiscriminating spirit as Sir John. There have been no results so far.

There is also a minor thing I noticed that makes me interested in wearing silk. It occurred on the first court motion I had in my career. Each of the K.C.'s involved was allowed a counsel fee six times the fee that I pried out of the taxing officer. This excited my cupidity. The case was a long one too. It took all of half an hour, or maybe less.

Recently I made inquiries at the office of the Local Registrar of the Supreme Court whether they had any application forms relating to the appointment of a Q.C. They looked through their collection of forms but had to confess that they had none in stock. In fact they said they had never had any such forms and that if I bothered them again they would throw me out bodily.

Jesting aside, I must say that I do not feel that I could accept silk, for various reasons. Firstly, I have a perfectly good stuff gown and jacket and I find that the tailors who make the silk vestments will not give me a reasonable turn-in allowance for my old outfit. Secondly, I do not feel that I should pay for an honour. I only accept free ones. I consider that the fee exacted by the government savours of trafficking in titles. So far, the only title I have purchased is that of Notary Public. This was retailing at

$10.00 at the time of its purchase, a price that did not include my official seal. This latter could be had for $3.25 each or $35.00 a dozen. And, lastly, be it known that in Middlesex County we barristers very seldom wear either silk or stuff gowns in the Division Court, in which I mainly practise. We consider it rather ostentatious.

F. H. GREENLEES*

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Court over Legislature

TO THE EDITOR:

Professor Laskin and your readers will probably be interested in a recent Australian addendum to his remarks in the February number of the Review about *Trethowan*'s case and judicial intervention in Parliamentary processes (1955), 33 Can. Bar Rev. 215.

In the case of *Hughes and Vale Pty. Ltd.* v. *Gair* (1954), 90 C.L.R. 203, the plaintiffs sought injunctions to restrain the Speaker of the Queensland Legislative Assembly, certain officers of Parliament, and all members of the State cabinet, their servants and agents, from presenting to the Governor of Queensland for the royal assent a certain bill passed by the Assembly. (Queensland has a unicameral legislature.) The form of the proceedings was modelled on that followed in *Trethowan*'s case. The ground of the application was that the bill, if assented to, would be a contravention of the federal constitution and, if permitted to operate, would seriously prejudice the plaintiffs' business.

The High Court of Australia (Dixon C.J., McTiernan, Webb, Fullagar, Kitto and Taylor JJ.) had no hesitation in dismissing the application, saying that the plaintiffs would have a ready remedy if and when the bill was assented to. (The bill duly received the royal assent, was immediately challenged in the High Court, and was held to be invalid.) It thus seems clear that the High Court does not regard as sufficient ground for an injunction to restrain presentation of a bill for the royal assent the fact that the bill, once assented to, would be unconstitutional.

The case is also worth noting for certain judicial remarks made about *Trethowan*'s case. Dixon C.J. pointed out that in *Trethowan*'s case, although the Supreme Court of New South Wales had granted an injunction to restrain presentation of the bill there in question for the royal assent, the High Court in granting special leave to appeal limited the appeal to the question of the validity of the act which required submission of such bills to a referendum, and excluded from argument the question of the appropriateness of

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the procedure, "not because the Court was of opinion that the decision of the Supreme Court on that particular point was right, but because it was thought inconvenient to allow a procedural question of that sort to intrude itself into such a matter calling for urgent and definite decision". Dixon C.J. went on to say that he had long entertained doubts as to the correctness of the decision of the New South Wales full court on that point, even in view of the peculiar terms of the governing act. All the other judges agreed with the Chief Justice's observations, but McTiernan J. specifically said that the question of the correctness of the view of the New South Wales court in *Trethowan*'s case remained open.

ROSS ANDERSON*

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Report on Pre-Legal Education: A Correction

TO THE EDITOR:

This year, as in the past, an account of the annual meeting of the Association of Canadian Law Teachers was submitted to you on behalf of that organization, and you were good enough to publish it in the issue of this journal for June-July. The report in question was thorough and interesting, but it does contain one passage respecting which I seek to offer some correction, lest inadvertently a wrong impression has been given. Before doing this, I should say that I am writing personally and not in any official capacity. The impulse and responsibility for this letter are entirely my own. Nevertheless, I claim qualification in fact to speak on the points I am about to make because, among other things, I have attended all the meetings of the Association of Canadian Law Teachers since 1950 and have held office in the organization since 1951. At the time of the last meeting, in Toronto at the beginning of June, I was the president.

The passage to which I have referred reads as follows:

> One of the most important items before the 1955 annual meeting arose outside the prepared agenda: the Interim Report on Pre-Legal Education of the Special Committee on Educational Standards of the Conference of the Governing Bodies of the Legal Profession in Canada. More than one member regarded it as 'inconceivable that a major report on legal education should be made to the profession without the association being invited to express its views'.

There is an implication here that the law teachers, at least collectively through their association, were not invited to make known their views on pre-legal education to the Conference of Governing

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Bodies and its special committee. There is perhaps some suggestion that the law teachers' association was taken by surprise by the special committee's efforts to produce a report for its parent body on the subject in question. I can only say that it is not my recollection that there was at any point in the recent law teachers' meeting general consensus that we had been improperly ignored or surprised. In any event the facts are to the contrary, and my bill of particulars in this regard is as follows:

(a) In the report of the annual meeting of the Association of Canadian Law Teachers for 1953 (held at the University of Montreal), volume 31 of the Canadian Bar Review, the following appears at page 554:

> At the first plenary session Dean Horace E. Read of the Dalhousie Law School, who is also chairman of a committee on legal education of the Conference of Governing Bodies of the Legal Profession in Canada, led a discussion on pre-legal education, a problem that confronts every law school faculty.

It should be added that, in the course of leading the discussion as stated, Dean Read made it clear that his committee was expected to report on the subject of pre-legal education and he invited the law teachers singly, or collectively through their association, to make their views known. Indeed, he urged them to do this.

(b) Dean Read's files as chairman of the committee referred to (which at my request I have seen) show that the preliminary report (1954) and the interim report (1955) were sent to all law schools in the common-law provinces as soon as they were respectively available in the first half of the years 1954 and 1955. To do this under the headings "preliminary" and "interim" was to invite comment and opinion, and the receipt of replies concerning both reports from several law deans indicated that this was appreciated. (The Quebec law schools are not directly concerned because of the rather different pattern higher education follows in that province.)

(c) The Committee on Educational Standards of the Conference of Governing Bodies is constituted as follows: three law school deans, one full-time professor who is secretary of his faculty, and one leading barrister who is prominently identified with the work and progress of one of the law schools. The four first mentioned have been active in the affairs of the Association of Canadian Law Teachers, and three of them have been and two of them still are officers of the association. When the Conference of Governing Bodies sanctioned a committee so composed, this in itself was both a tribute and an invitation to the members of the teaching branch of the legal profession in Canada.

The Canadian Press reported near the end of August that the Conference of Governing Bodies had delayed final action on en-

dorsation of standards concerning pre-legal education to await a submission from the Association of Canadian Law Teachers. It is indeed fortunate that this cordial co-operation is developing, for very great educational problems in the legal field lie immediately ahead. This is no place to detail them, but the general point can be emphasized by one statistical fact: that applicants for admission to law schools will increase in numbers about 80% by 1960, and this is a conservative interpretation of some very definite population statistics.

Just a word in conclusion about the Association of Canadian Law Teachers. It has been necessary since the recent war very largely to re-build the full-time teaching branch of the legal profession in Canada, and we still number only about fifty rather hard-pressed persons scattered from one coast to the other. The Association of Canadian Law Teachers really got under way in 1951 and it is not surprising that so far it has been somewhat preoccupied with the internal problems of establishing a viable organization and determining objectives. But my view is that our teachers' association is passing out of that stage and is now ready to serve as one of the principal instruments whereby law teachers may co-operate with other members and organizations of our ancient and learned profession to meet the demands ahead. All the wisdom and resources we can muster by collective effort are going to be needed.

W. R. LEDERMAN*

Books Received

The mention of a book in the following list does not preclude a detailed review in a later issue.

Bar of the Province of Quebec: Statute and By-laws Annotated. Montreal: General Council of the Bar of the Province of Quebec. 1955. Pp. viii, 166. (No price given)

Blundell's Rent Restrictions Cases Annotated. Third edition edited by LIONEL A. BLUNDELL, LL.M., and V. G. WELLINGS, M. A. (Oxon). London: Sweet & Maxwell Limited. Toronto: The Carswell Company Limited. 1955. Pp. xci, 1203 (paragraphs), 9. ($9.50)

International Committee of the Red Cross: Annual Report for 1954. Geneva: International Committee of the Red Cross. 1955. Pp. 89. (No price given)

International Regulation of Economic and Social Questions. By PHILIP C. JESSUP, ADOLF LANDE and OLIVER J. LISSITZYN. *International Organization.* By JOSEPH P. CHAMBERLAIN. New York: Columbia University Press. 1955. Pp. vi, 173. ($1.75 U.S.)

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John A. Macdonald: The Old Chieftain. By DONALD CREIGHTON. Toronto: The Macmillan Company of Canada Limited. 1955. Pp. ix, 630. ($5.75)

Jurisprudence. By G. B. J. HUGHES, M.A., LL.B. London: Butterworth & Co. (Publishers) Limited. Toronto: Butterworth & Co. (Canada) Limited. 1955. Pp. xxx, 544. ($9.50)

Justice Enslaved: A Collection of Documents on the Abuse of Justice for Political Ends. The Hague: International Commission of Jurists. 1955. Pp. 535. (No price given)

The National Finances 1955-56. Toronto: Canadian Tax Foundation. 1955. Pp. vi, 120. (No price given)

Nursing Practice and the Law. By MILTON J. LESNIK and BERNICE E. ANDERSON, R.N., Ed.D. Second edition. Philadelphia and Montreal: J. B. Lippincott Company. 1955. Pp. xviii, 400. ($6.00)

The PR in Profit: A Guide to Successful Public Relations in Canada. By LEONARD L. KNOTT. Toronto: McClelland & Stewart Limited. 1955. Pp. 254. ($6.00)

Professional Negligence. By J. P. EDDY, Q.C. With a foreword by the RIGHT HONOURABLE SIR ALFRED DENNING. London: Stevens & Sons Limited. Toronto: The Carswell Company Limited. 1955. Pp. xii, 146. ($2.75)

Show Business and the Law. By E. R. HARDY IVAMY, LL.B., Ph.D. London: Stevens & Sons Limited. Toronto: The Carswell Company Limited. 1955. Pp. x, 188. ($4.75)

Studying Law: Selections from the writings of Albert J. Beveridge, John Maxcy Zane, Munroe Smith, Roscoe Pound, Arthur L. Goodhart, Eugene Wambaugh, John H. Wigmore, Charles B. Stephens. Edited by ARTHUR T. VANDERBILT. New York: New York University Press. Pp. viii, 753. ($6.00 U.S.)

The Supreme Court in the American System of Government. By ROBERT H. JACKSON, late Associate Justice, Supreme Court of the United States. Cambridge: Harvard University Press. Toronto: S. J. Reginald Saunders and Company Limited. 1955. Pp. viii, 92. ($2.65)

A Tale for Midnight. By FREDERIC PROKOSCH. Toronto: Little, Brown & Company (Canada) Limited. 1955. ($4.50)

Taxes, Tariffs, & Subsidies: A history of Canadian fiscal development. By J. HARVEY PERRY. Sponsored by the Canadian Tax Foundation. Two volumes. Toronto: University of Toronto Press. 1955. Vol. 1: pp. xviii, 324; vol. 2: pp. xi, 325-763. ($25.00 the set)

Taxes and Traffic: A Study of Highway Financing. Canadian Tax Papers, No. 8. Toronto: Canadian Tax Foundation. 1955. Pp. xx, 158. ($2.50)

A Victorian Law Reformer's Correspondence. Selden Society Annual Lecture delivered by SIR CECIL CARR, K.C.B., Q.C., in the Old Hall of Lincoln's Inn on 24th March 1955. London: Bernard Quaritch. 1955. Pp. 26. (4s. net)

79 Park Avenue. By HAROLD ROBBINS. New York: Alfred A. Knopf. Toronto: McClelland & Stewart Limited. 1955. Pp. 275. ($3.95)