

upon it, and has no right to order or recommend any apportionment or division of property between the non-concurrent Presbyterians and the United Church of Canada, except in the particular classes of circumstances specified in the Act.

The case which seems to have given rise to the note in the *CANADIAN BAR REVIEW* is doubtless the Port Arthur case, which was heard on the 21st of December. It was merely one of the many cases heard by the Commission, and it seems only just to my fellow-commissioners and me that the readers of the *REVIEW* should not be left under the impression that the sum total of the work of the commissioners has been to hold one all-day and all-evening session and to decide that they could do nothing.

I should perhaps add that the item in question is substantially correct as applied to the Port Arthur case. My only complaint is that, as published, the item would naturally be understood as meaning that the Commission had declined to give relief in any case whatever.

Yours faithfully,

Toronto, 6th January, 1926.

JOHN D. FALCONBRIDGE.

BOOKS AND PERIODICALS.

Publishers desiring reviews or notices of Books and Periodicals must send copies of the same to the Editor, care of THE CARSWELL COMPANY, LIMITED, 145 Adelaide Street West, Toronto, Canada.

Railroads: Cases and Selections. By Eliot Jones, Ph.D., Professor of Economics, Stanford University, and Homer B. Vanderblue, Ph.D., Professor of Business Economics, Harvard University. The MacMillan Company. Price, \$5.00.

This is a most interesting and useful volume for men concerned with railway problems—and who in Canada should not be interested in railway problems just now? It is a compilation of pivotal decisions of the Interstate Commerce Commission, the U.S. Railroad Labor Board, and the Supreme Court of the United States, with review articles and chapters from authoritative books, making a mass of well selected material on different phases of the transportation question,—history of railway development, rate making, rate regulation, valuation of railroads, safety and adequacy of service, science and economy in management, control of railway securities, wages, strikes, combinations and consolidations of railways. It deals with the situation in the United States, but there is just enough similarity and just enough difference between conditions there and in Canada to make such discussions very useful to us. For instance, the fourth chapter is "Reasonable Rates," a paper by G. C. Henderson, reprinted from the *Harvard Law Review*. It deals with the right of the State to regulate rates and with the methods and principles determining what rates are fair and reasonable—a vital question in Canada at the moment. Obviously, though the rate problem is much the same with us as with our neighbours, the powers and methods of public commissions must be different, owing to differences in charter rights, in legislation, and in the very constitutions of the two countries. But the discussion goes below these differences and deals with common principles. Another valuable chapter is that on the Plumb Plan, containing a statement of the Plan, a

Defence and a Criticism. This is of interest to Canadians in view of various suggestions for amalgamation of the railway systems of the Dominion; and, apart from that, our systems are so closely related to those in the United States and so readily affected by changes in their management, wages and working conditions that any proposal for radical alterations over there must be carefully marked in Canada.

Though the book is described by the Editors as "supplementary material to give concreteness to the principles developed in the [Editors'] more general works on railroad transportation," it is well able to stand on its own feet as an independent production.

J. D. S.

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The Usages of the American Constitution. By Herbert W. Horwill, Toronto: Oxford University Press, 1925. 251 pp. Price, \$3.25.

In his preface the author explains that the late Lord Bryce only assigned a few pages in his *American Commonwealth* to the subject of constitutional 'usages'; and he further remarks that it is singular that American research which has been so meticulous in examining the details of organic law in the United States should have so largely ignored the part played by usage in the actual working of the Constitution. Until we reach Chapter X (beginning at p. 175) we find little difference in subject-matter between this book and a dozen others that deal with the history and interpretation of the American Constitution. In that chapter, however, the author is able to demonstrate the *raison d'être* of his undertaking, but just how he justifies the inclusion there of a dissertation on "The Integrity of the Supreme Court" is not abundantly apparent. The book is brightly written, and while it will not greatly add to the exegetical literature relating to the American Constitution we already possess, it furnishes some informing criticism of certain matters not hitherto overstressed by commentators.

C. M.

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PUBLICATIONS RECEIVED.

- Handbook on Companies.* Second Edition. By William Kaspar Fraser. Toronto: The Carswell Company, Limited, 1926.
- The Swiss Civil Code.* By Ivy Williams, M.A., D.C.L., Oxon.; LL.D., Lond. Toronto: Oxford University Press, 1925. Price, \$3.00.
- An Introduction to Roman-Dutch Law.* Second Edition. By R. W. Lee, D.C.L., M.A. Toronto: Oxford University Press, 1925. Price, \$6.00.
- A History of English Law.* Volumes VII. and VIII. By W. S. Holdsworth, K.C., D.C.L. London: Methuen & Company, Limited.
- Public Health Law.* A Manual for Sanitarians. By James A. Tobey, M.S., LL.B. Baltimore: The Williams & Wilkins Company, 1926. Price \$4.50.
- Superstition or Rationality in Action for Peace? A Criticism of Jurisprudence.* By A. V. Lundstedt, LL.D. Toronto: Longmans, Green and Company. Price \$4.50.