the nature of the license. Thus, there is no adequate discussion of the nature of a license in the text. It is felt that chapter five, on Pressure and Penalties, is admirable in that it is both succinct and eclectic. On the other hand, the reviewer feels that there should be more explanation of the rules of limitation in equity [see page 149].

The difficulties involved in being both concise and yet including all the relevant material are evident throughout the book. Chapter six contains a good selection of cases. If it had to be cut down as it is, it would be almost the best possible selection. However, it is felt that it could have been more extensive. For example, in the excerpts of the cases that are included the conditions on which an assertion of title may be made in equity and the range of terms that may be imposed by such a cause upon an assertion of title are only vaguely referred to. Although the author is to be commended generally for the up-to-date nature of his cases, it is felt that some of the older cases which are obliquely or incidentally referred to in this book might have made these points. Part three [Methods of Equitable Intervention] is good and generally comprehensive. It covers all the remedies peculiar to Equity. However, it is rather odd that Chapter ten [Limitation and Laches] should appear within this Part. It is admitted that this is the most appropriate Part, given the confines of the author's classification. It would appear to be more appropriate here than in any of the author's other Parts. Perhaps, however, the inclusion of this subject within the other procedural topics does interrupt the flow of the book.

Mr. Tiley's notes are extremely good when they appear. However, one might like to see more of them. For example, there might be one at the beginning of Chapter eleven.

The author has done a very creditable job in selecting and setting out cases. His notes and other explanatory comments are excellent. Naturally, a casebook follows the teaching personality of its author and this casebook reflects in a favorable light that of Mr. Tiley. The reviewer thinks that the book is very much worthwhile.

There is one difficulty in combining what are essentially three different subjects in the same casebook, especially one which is intended to be used as a teaching tool for students. The difficulty is that only a part of the book (and perhaps only a third of it since it contains material on Equity, Administration of Estates and Wills) will be appropriate for any particular course. Certainly, the Canadian practice seems to be to offer one course in Equity and another in Wills (often leaving Administration of Estates out altogether because adequate time for its coverage is not available). This may be an almost insurmountable difficulty no matter how good the treatment of the subject-matter is.

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CONTEMPT. By Swallow Press Inc., 245 pp. and xxviii, Illustrations, $7.50.

This is an interesting document. It is difficult to describe it otherwise because it consists primarily of a transcript of contempt proceedings in

the so-called Chicago Seven Trial described on the dust jacket as the Chicago Conspiracy Ten.

The feature which distinguishes it from a desk size copy of the official transcript is a thought-provoking introduction by Harry Kalven, Professor of Law at the University of Chicago. Kalven, wisely, suggests that the reader can and should make his own evaluations of what the book shows about contemporary tensions between decorum and justice.

In addition to Kalven's introduction there is a foreword by the former U.S. Attorney General Ramsay Clark who had been proposed as a witness for the defence. Clark's introduction is not too helpful to the uninformed reader because he raises issues which do not emerge from the particular transcript. He also cautions readers to bring attention to the matter "between the lines"—a highly speculative undertaking.

The text of the book itself consists of the transcription of the contempt citations, the materials supporting those charges, and the answers made to the charges and punishment by and on behalf of the person cited. In order to avoid the apparent limitation on his power to sentence for contempt for a period in excess of six months and because, in his view, a limitation of six months for all contempts in a trial will in effect give a fixed licence fee for contumacious conduct, the Judge broke the complaints into separate charges and meted out consecutive sentences, totalling, in some cases four years. The result is a rather ludicrous tariff for contempts ranging all the way from one day for failing to rise, through fourteen days for laughing at a ruling to six months for the disobedience for an express order given in the course of the proceedings.

The contempt charges covered a wide range of misconduct and the Court carefully detailed each one. The specific charge, the materials supporting the charge and the sentence are all included in the transcript. In addition both Counsel and accused were permitted to respond to the citations and we get some understanding of the attitudes of the participants from the discussions recorded during this part of the proceedings.

At the risk of over-generalizing, the basic conflict between the Court and the defence (and the Counsel) might be found in the defendant Weiner's observation that the Judge saw the proceedings as a criminal trail but the accused saw themselves in a political trial. This generalization doesn't apply to all. Seale, who was later directed to be tried separately, was found guilty of contempt almost exclusively in relation to his conduct when he tried to conduct his own case in the absence of his chosen counsel, but in the presence of his counsel on the record whom he tried to discharge. The defendants Hoffman and Rubin appeared to have embarked upon the course of conduct which would, by almost any standard, be characterized as a calculated contempt.

As lawyers we are specially interested in the proceedings relating to the defence counsel who were also cited for contempt. Judge Hoffman, who was at pains to point out that he had never sentenced a lawyer for contempt before, and indeed had only once before sentenced anyone, handed out sentences totalling over 40 months to Kunstler and also sentenced his assistant Weinstein. Some of the charges against Kunstler seemed to stem from what more robust judges might have characterized as over zealous argument. By the time the trial had progressed very far into its fifty day course the clashes between the court

and counsel resulted in more serious breaches to the point where Kunstler characterized an observation of the court as, "about the most outrageous statement that I have ever heard from the Bench, and I am going to say my piece right now, and you can hold me in contempt right now if you wish to," and then went to speak in terms of there being no law in the Court and declare that the men were going to jail, "by virtue of a legal lynching". Weinglass, associated with Kunstler (who was cited for 24 specific contempts) was cited for 14 specified contempts ranging from a refusal to sit down when a motion had been disposed of to defying specific orders made with respect to the conduct of the trial.

This book is not a textbook; it will be little help to the student of the law of contempt, or the student of advocacy. Its value lies in enabling the concerned reader to escape from the fear that what we know about this aspect of the case is only what the press wants us to know. Confrontation in the court room is, of course, directed to the press and, as Kalven points out, the American press appeared to be delighted with a new art form. Those of us concerned with the thought that highly publicized activities in the United States seem to find a share of imitators here will find it an instructive exercise to try to determine what course of action a judge in this country would and should have taken. Even then we are somewhat hampered by the fact that one can question some of the rulings which seemed to result in the alleged contumacious conduct and the reader necessarily has difficulty in appreciating the depth of individual's reactions.

The publication of the transcript alone—undoubtedly a very profitable publishing venture[1]—has both vices and virtues. On the whole I would think that the benefit of objectivity outweighs the defect of lack of background information. This kind of conduct is a very serious matter, one deserving consideration by all concerned with the administration of justice. One can certainly hope that our courts, our counsel, our public, and our press appreciate the propostion, to quote Kalven, "that decorum in the trial process is a rational value in the pursuit of justice."

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[1] Books which consist of trial transcripts are not to be underestimated; the transcript of the Laski Libel Trial is, for example, of significant pedegocical value. The Chicago Trial produced at least one other book from its transcript: *Tales of Hoffman*, Bantam Books, 1970. The latter consists of selections of transcripts and acknowledges the transcript itself is "public domain".

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THE CONSTITUTIONAL PROCESS IN CANADA. By R. I. Cheffins, McGraw-Hill Series in Canadian Politics, 1969.

Is it possible for a man to go to Yale and not be lost to the McDougal-Lasswell school of policy scientists? Here we have a book that proves that it is. Professor Cheffins has written a concise but somewhat biased view of some of the traditional concepts used in the area of constitutional process in Canada at the present time. There is no doubt that in this time of constitutional change, it required a considerable amount of courage to undertake such a task. This courage is also reflected in the fact that the author does not hesitate to state his own views on a number of constitutional issues. Paul Fox, in a foreward, finds this a refreshing aspect of the book. I find it rather disconcerting to come