



Book Reviews • Revue Bibliographique

***Using a Law Library, A Guide for Students and Lawyers in the Common Law Provinces of Canada*, 3rd ed., Margaret A. Banks, Toronto: Carswell, 1980. Pp. ix, 212. \$21.50 (cloth), \$10.95 (paperback).**

Margaret Banks is one of Canada's most respected, senior Law Librarians, and even the most cursory glance at this volume will reveal the basis for the widespread esteem in which she is held.

Although the volume in hand is published as a Third Edition, in fact it could be said to be the fifth edition, for it was originally drafted and then revised as an "in house" publication for the use of students at the University of Western Ontario. When one considers the number of revisions made in a period of roughly 10 years, one cannot fail to be impressed by the author's quest for accuracy and readability.

Using a Law Library is unquestionably intended for "Students-of-Law", whether they be in law school or not. Although the Introduction is obviously intended for those who have had no previous experience with a law library, the remainder of the book can be used with profit by lawyers, librarians and any others who find it necessary to do legal research.

The author has chosen to divide the book according to form rather than jurisdiction. Accordingly, she deals first with primary legal materials, (law reports and statutes), moving then to a discussion of research tools (legal encyclopaedias and digests), and then on to secondary sources (reference books, treatises and periodicals). The final chapter on automated legal research constitutes a significant addition to the material presented in previous editions. The author has eschewed any discussion of American legal materials, and wisely so. There are, however, several excellent texts on American legal research listed in the Appendix.

To be rather more specific, Chapter 1, entitled "Law Reports", provides one of the more lucid summaries of the convoluted history of English case law reporting I have read. In addition, the author provides a list of the various series of *Law Reports*, and their form of citation which is extremely helpful. Ms. Banks takes care to explain which of the many series of topical reports are frequently duplicated in the general series' and which are reports of courts of special jurisdiction which are unlikely to be duplicated.

Most of the Canadian law reports series are dealt with and their history and relationship to one another made clear, although I could find no reference to Canadian nominative reports, (Kerr, Stuart, etc.). In the matter of administrative board decisions, the author is extremely brief, referring the reader to Alice Janisch's *Publications of Administrative Board Decisions in Canada: A Report*,¹ which we are told is in the process of being revised and updated.

Chapter 2, entitled "Statutes", provides by way of introduction a brief essay on the relationship between statute and case law and the legislative process in Canada and England. This is followed by a discussion of the various series of English statutes and how to use the indices and finding aids available to locate statutes required. Delegated or subordinate legislation is dealt with very briefly. The majority of this chapter is devoted to Canadian Federal and Provincial statutes. These are dealt with severally and collectively in some detail as are regulations and bills.

Chapter 3, "Legal Encyclopedias and Digests" is the chapter tyros will appreciate most, as it is totally devoted to the mechanics of research. The first section of the chapter explains the various access points available to the researcher in finding case citations, both English and Canadian. The second part of the chapter presents a hypothetical set of facts. The author leads the reader by the hand, first analyzing the problem and then accessing the relevant statute and case law. There is the occasional pause along the way to point to different routes and blind alleys. No stone is left unturned as Ms. Banks ferrets out case citations, statutes, amendments to statutes, periodical articles, etc. This chapter emphasizes the use of one's imagination as well as skill and thoroughness in solving a legal problem.

Chapter 4, on "Reference Books, Treatises and Periodicals" is brief and to the point. It serves to remind the reader that these are valuable secondary sources of law, and in particular attempts to introduce the periodical indices most commonly used to access this wealth of information.

¹London, Ont.: Canadian Assoc. Law Libraries, 1972. Pp. xi, 66 leaves.

The final chapter on "Automated Legal Research" describes the major legal data bases and gives a brief history of the computer in legal information storage and retrieval. As well, the author spends some time discussing the Canadian Law Information Council and QL Systems Limited, and provides a very useful guide to solving a legal problem using automated research techniques.

As mentioned above, there is an "Appendix" of suggested further readings, each entry having a very useful annotation.

The index is complete and all titles are in bold face type, as they are throughout the book.

In summary, this is an indispensable tool for the law student and a very valuable aid for lawyers and librarians. It is meant to be used in conjunction with a law library while researching a problem, for there is too much to be absorbed in a casual reading out of context. It is well to handle the actual volumes referred to and establish some familiarity with them, although the book itself contains a great many illustrative samples directly related to the commentary.

In short, this work is unquestionably the best guide available to Canadian legal research.

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***Remedies in Breach of Contract*, H. Beale, London: Sweet & Maxwell, 1980. Pp. xxiv, 248. \$34.20 (cloth), \$24.45 (paperback).**

The volume in hand is the twenty-first in the Modern Legal Studies series launched in the early seventies. The basic idea behind the series was the publication of short monographs which would be less frightening to students and so more useable than the traditional texts but still meeting the highest standards of scholarship. When I reviewed the pioneer volume in 1973¹ I was not convinced that it met the goals

¹Heydon, *Economic Torts* (1973), Review, (1973) 24 *N. Ire. Legal Quart.* 253.