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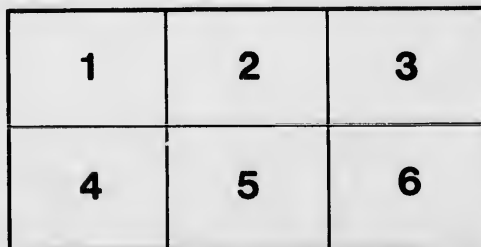
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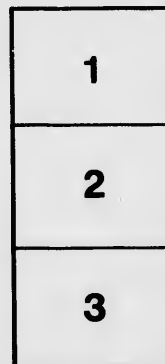
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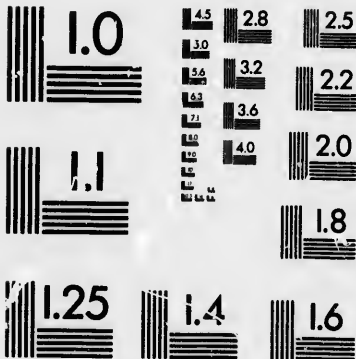
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ABBOTT'S Railway Law of Canada.

A Treatise on the Railway Law of Canada, by Harry
Abbott, Q. C. of the Montreal Bar, Professor of
Commercial Law, in McGill University, One vol. 8vo
of 700 pages, 1896, half calf..... \$7.00

CONTENTS.

Chapter 1. Introductory. 2. Organization and management of
Railway Companies. 3. Shares and Shareholders. 4. General
Powers. 5. Financing of Railway Companies. 6. Receivers. 7.
Eminent Domain. 8. Construction of the Railway. 9. Operation
of the Railway. 10. Carriers. 11. Negligence. 12. The Measure
of Damages. Appendix, The Railway Acts, Dominion and Provincial.
Analytical index.

OPINIONS.

"The preface to this work is very modestly conceived by the
author, who is widely known in this country as an authority on
railway law. But even a cursory glance at the work discovers that
the subject has been dealt with in a manner which displays a know-
ledge and grasp of the principles contained in the Railway Act, and of
the railway law of this country, only to be obtained by one long
familiar with the matter. A commentary on the railway law of a
country, at all times difficult and arduous, is rendered doubly so in

this case, as the present work is a pioneer in this branch of the law in Canada. That is to say, it is the first attempt to interpret the Railway Act, an act which it has been notoriously difficult to construe. The difficult questions arising from the exercise of the right of expropriation have been treated with a fullness and accuracy which bare little to be desired. In the chapter on the organization of railways, as well as that on shares and shareholders there are to be noted many intricate questions of company law which are of great interest to company lawyers, and, indeed, throughout the whole work are decisions and discussions on many other branches of the law, such as negligence, master and servant, measure of damages, etc., which should be of the highest use to the general practitioner. — *Montreal Herald*.

"This work will be welcomed by both bench and bar as a very useful addition to the legal literature of Canada. The labour of searching through the statutes—Dominion and Provincial, the orders-in-Council, and the judgments of the courts—for the law relating to railway matters will be lightened and much time saved by the use of Mr. Abbott's valuable treatise.

The method of arrangement, by which the book is divided into chapters, each dealing with a distinct branch of the law, and the subdivision of each chapter into numbered paragraphs—each elucidating some definite principle or provision—enables the reader to obtain a grasp of the whole subject, and also readily to find the particular matter about which he may be seeking information. The numbered list of the contents at the commencement of each chapter, following the plan adopted by such American authors as Wood and Redfield, is a useful improvement on the methods of English authors. It is impossible even to refer to all the questions discussed, but among them may be mentioned the obscure question of the position and legal status of railways, incorporated under Provincial Acts, and afterwards brought under the authority of the Dominion Railway Act by being declared works for the general advantage of Canada; the powers of *de facto* and *de jure* directors, and the liability of the company for their acts; the subscription and transfer of shares of stock; the right of creditors against shareholders; the powers of directors to make calls; actions for calls upon subscribed stock; unissued shares; paid-up stock; dividends and interest; the general powers of the company and its agents with regard to location and construction; the issue of bonds and debentures; the powers of bondholders and trustees; receivers, their duties, powers, and obligations, and the authority of the courts in regard to their appointment; eminent domain, its meaning and extent as applied to railways, and the procedure to enforce it; the duties and powers of arbitrators, and appeals from awards; the elements and principles governing contract of construction; the liability of the company for acts of contractors; damages caused by construction; interference with highways, bridges, crossings, fences, tunnels, guards; intersection of railways; limitation of action; the liability of railways in general as carriers of passengers and goods; fares, tickets, freight charges; obligation to carry passengers and freight; discriminating traffic arrangements; the legal duties, responsibilities, and rights of railways as common carriers; actions for damages; limiting the liability of the company by statute and contract; the company's

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liability beyond its own line for the acts of its agents, after the arrival of goods, as warehousemen and as carriers of passengers ; the duties of railway servants in charge of trains ; delay of passengers ; responsibility for baggage of passengers ; when liability ceases ; negligence, non-performance of duties ; acts of servants and employes ; injuries to passengers, person and employes ; accidents ; obstructing and interrupting the free use of railways ; damages by fire from engines ; the measure and limitation of damages for breaches of contract, and for injuries to persons or to goods, and many other matters, are discussed in a careful and searching manner.

The language is clear and concise, and the literary style of the work throughout is superior to that of most law publications. The notes of cases and authorities referred to are numerous, and appear to have been carefully selected as well as correctly quoted. The author has avoided the mistake of mixing the references with the text. By placing the notes of cases, authorities, and statutes at the bottom of each page, the simplicity and clearness of the text has been preserved, and at the same time much more extended references are given than the mingling of all together would have permitted. The enunciation of the principles relative to the subject under consideration, and the explanation and elucidation of those principles by reason and authority are the main duties of a legal writer. The value of a book is not determined by its size, nor by the number of authorities it cites, but by the aptitude of its quotations and by the clearness and precision of its statements. This is the only treatise upon the railway law of Canada which has been published, and both in the substance of its contents and in the method of treatment it will be found worthy of a place beside the best English and American works on the same subject. Some of the books are merely annotations of the statutes ; this is much more—it discusses the principles of the common law, and simplifies the meaning of the obscure or uncertain provisions of the Railway Acts. In this respect also it follows the plan of Redfield and Wood in preference to that of such English authors as Bourne and Shelford. Much more labour is required to extract the principles of law from ambiguous and conflicting statutes than is involved in collecting the decisions bearing upon them.

Having closely examined Mr. Abbott's able treatise, and compared it with the works of the authors mentioned, we can unhesitatingly recommend it both to the profession and to the public as a faithful and useful guide on the Railway Law of Canada."—*Mail and Empire*, Toronto.

"There has probably never been any lawyer in Canada who was so great a master of the laws governing railways as the late Sir John Abbott, and this very valuable work indicates very clearly that his son has inherited much of his father's ability in dealing with so important a subject. The work is something more than the author describes it — "A useful hand-book of the law applicable to railway companies in this country." It is, in fact, a very able and extensive exposition of the law in a comparatively small compass. It deals with the franchise and the power of constructing railways, the organization and management of companies, Shares and their Holders, Financing of Railway Companies, Receivers, Eminent Domain. Carriers, Negligence and other points which naturally arise in connection with this

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important branch of our national economy. Notwithstanding the modesty of the author, his volume really forms a most masterly exposition of the various points he has dealt with. Such a book must be a necessity in every lawyer's office, and the well known ability of Mr. Abbott as a commercial lawyer is a guarantee of its soundness and value."—*Ottawa Free Press*.

"The subject is one with which the author is very familiar. His father was a great lawyer, and his practice was very extensive in railway cases. The son inherits much of his father's keen perception and grasp of the law, and to this trait he adds on his own account, remarkable power of research and investigation, industry of a high order, and the ability to set before his reader, the most abstruse points in a convincing and forcible manner. The work before us, is a valuable contribution to the literature of the legal profession, his brethren at the Bar, we fancy, will admit that his manual is so thoroughly well done that a second work on the subject need not be attempted for many years to come. The introduction is a model of clearness and directness, and then the work proper follows in eleven chapters. As we have said, it is a book of great value, and it must add much to the reputation of the author, as a writer. A carefully prepared analytical index makes the work readily accessible to those who may wish to consult it."—*Morning Chronicle, Quebec*.

"This work, the first on the railway law of the Dominion, is a most valuable contribution to Canadian legal literature. It will not be the less acceptable to Canadian lawyers because the author, while displaying much industry in collecting the leading Canadian and English cases upon the questions dealt with, has wisely refrained from encumbering his pages with numberless citations from the "codeless myriad" of American decisions.

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—*Préface.*

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Le livre en question contient en plus un supplément comprenant les Statuts et extraits de Statuts concernant les corporations municipales et leurs officiers, plus la loi électorale de Québec, et aussi la loi provinciale des licences; de sorte que, jugée au Québec, et aussi la nouvelle publication nous paraît remplir toutes les conditions requises pour les conseils municipaux. Tel qu'il est le *Code Municipal* que nous signalons devrait être sur le bureau de toutes les municipalités.

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Embracing all the legislation of the province of Quebec, from 1867, down to and including the year 1898, by Harris H. Bligh, Q.C., Librarian of the Supreme Court of Canada; Editor of the Consolidated Orders-in-Council of Canada; Compiler of the Ontario Law Index; and one of the compilers of the Dominion Law Index. Royal 8vo, 290 pages, 1898. Cloth \$2.50; half sheep \$2.75 and half calf \$3.00.

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LAGRANGE, Manuel de Droit Romain,

ou explication des Institutes de Justinien par demandes et par réponses, précédé d'une introduction historique à l'étude du droit Romain et d'une bibliographie choisie de ce droit par E. Lagrange, docteur en droit. 13e Edition; 2e tirage, in-12, 1897 bro. \$2.50

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MIGNAULT, Le Droit Civil Canadien

Etant un commentaire raisonné du Code Civil du Bas-Canada, basé sur les "répétitions écrites sur le Code Civil" de Frédéric Moulton, avec revue de la jurisprudence de nos tribunaux, par P. B. Mignault, C. R., avocat au barreau de Montréal, 4 vols parus, 8vo 1899. Prix pour chaque volume broché, \$4.50 ; relié demi chagrin ou demi veau, \$5.00 ; les 4 vols broché, \$18.00 ; relié demi chagrin ou demi veau, \$20. 5ième volume (sous presse).

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