

New York more than half of the profession are in the income class below 3,000 dollars per year, and a substantial number are on the verge of starvation, with almost 10% of the New York City Bar virtually confessed paupers, as indicated by the applications for public relief. One-third of the total profession earn net incomes below 2,000 dollars a year.

Current Legal Thought, 1935-1936. Published by Current Legal Thought Inc., New York.

The object of this new publication is to provide an annual index to legal periodicals. The first number indexes 114 periodicals published during the year, August 1, 1935, to July 31, 1936.

The Prefatory Note states that the periodicals indexed include every law school reviews and every Bar association Journal available, as well as a few selected American and foreign Journals which offered material of interest to the profession. Amongst these latter, *Res Judicatae* is included in company with the *Cambridge Law Journal*, the *Canadian Bar Review*, and the *Law Quarterly Review*.

The index is constructed on *Digest* lines, and should be of great assistance in searching for articles on any legal topic. It is of interest to note that articles and a number of the notes in the first issue of *Res Judicatae* have been indexed in this fashion.

J. B. HARPER.

Injustice Within the Law. By Mr. Justice H. V. Evatt, M.A., LL.D., of the High Court of Australia. Published by The Law Book Co. of Australia Ltd. Price, 2/6.

The familiar expression, "all men are equal before the law," tends to give a very wrong impression of the law and its operation. Theoretical equality before the law has concealed and conceals many cases of real injustice. Such a case was that of the six Dorchester labourers, sentenced in 1834 to seven years' transportation to Australia for administering unlawful oaths, better known, perhaps, as the case of the Tolpuddle Martyrs. In his work, *Injustice Within the Law*, Mr. Justice Evatt has set himself the task of rescuing the case from the "comparative obscurity" to which it has been consigned. It is true that the story has been told before, but it is just one of those stories the re-telling of which cannot but have a salutary effect. Mr. Justice Evatt shows clearly that, though the men were prosecuted for a fairly technical offence, the administering of unlawful oaths, the real reason for the prosecution was the hostility of the rising capitalist class to any organization of its workmen to secure even tolerable living conditions. Coming in the period of the intense development of capitalism, the case shows the lengths to which the property-owning class was prepared to go in measures of self-protection. The abuse, or perhaps only use, of the legal process, causes Mr. Justice Evatt to remark, "In one sense, the case represented the very coronation of injustice, and yet

there was no technical breach of the law" (pp. 128-129), and justifies Bishop Burgmann's statement in the Preface, "Courts of law are the instruments by which the dominant opinion finds momentary legal expression" (p. viii). The fact, too, that such an authority as Mr. Justice Evatt has found time to devote his attention to the subject must help to rouse lawyers from that complacent acceptance of the status quo so characteristic of them, and once again bring forcibly before them Anatole France's famous remark, "The law is just; it punishes equally the rich and the poor for stealing bread." Of the actual negotiations and preparation of the case for trial, the course of the trial, the legal points involved, and the subsequent negotiations dealt with by the author, little can be said here. Bishop Burgmann aptly says, "Mr. Justice Evatt has done a service not only to legal but to social history by telling the story again with clarity and careful documentation" (p. vii).

E. F. HILL.

THE LAW STUDENTS' SOCIETY OF VICTORIA

In its fifty-first year the Society continued the work that has become its function in the Law School of the Melbourne University. Such learned and intricate subjects as surface waters, *indebitatus assumpsit*, the rights of adverse possessors *inter se*, and trespass to luggage in a railway carriage were debated with abundant authority and enthusiasm. The President delivered final judgment with such learning in all cases that only prepared counsel could detect an occasional element of the ancient equitable jurisdiction. The Society was privileged to re-hear Professor Wood-Jones's celebrated address on "Judicial Hanging," and a motion to be addressed to the Attorney-General of Victoria that in future the knot be placed under the chin, and not under the left ear, was carried with acclamation by a record house. The criminal trial was again a notable feature of the year's activities, the accused being presented on jealous assault and battery, and, as usual, being narrowly acquitted. A Smoke Night and an At Home were successfully and enjoyably held, the members acquitting themselves of their social obligations quite competently.

The Society is pleased to be able to congratulate the following recent active members: Mr. G. Sawyer, for his appointment as Acting Lecturer in Constitutional Law I; Mr. C. I. Menhennitt, for his appointment as Acting Lecturer in Constitutional Law II, in the University of Melbourne; and Mr. C. K. Comans, for his appointment as Lecturer in Jurisprudence I in the University of Canberra.

The office-bearers of the Society for 1937 are:

President: F. Maxwell Bradshaw.

Vice-Presidents: R. J. Davis, S. T. Frost.

Joint Secretaries: A. C. Neil, A. Morris.

Treasurer: E. I. Sykes.

Committee: K. A. Aickin, I. N. Smith, D. Wood, A. J. Downing, and R. Crout.