to the exclusion of the mortgagor or assignor, on the ground that the mortgagee or assignee is bound to protect the debt and estate of the mortgagor or assignor and to stand in their place: *Greedy* v. *Lavender*, 11 Beav., 417.

If two trustees sever, one imputing misconduct to the other, and this clearly appears by evidence, the innocent trustee is entitled to his full costs to the exclusion of his co-trustee. If the evidence be not clear, only one set of costs will be allowed, and an allegation by a trustee that his co-trustee has kept the books and accounts, and that he knows nothing in respect to them, will not entitle such trustees to separate costs: *Attorney-General* v *Wyville*, 28 Beav., 464; *Hodson* v. *Cash*, 1 Jur. N. S., 864.

An innocent trustee ought, if requested, to join in a suit to recover proceeds from a defaulting trustee: *Hughes* v. *Key*, 20 Beav., 395. But, if he is not applied to and is made a defendant, the plaintiff, even if successful, must pay his costs: *Reads* v. *Sparks*, 1 Moll., 8.

Parties attending in the Master's office must appear by the same solicitor, and but one solicitor will be allowed to represent a class. The principle is that suits should not be burthened with unnecessary costs of many parties. The same rule would no doubt apply in solicitor and client costs, unless the solicitor took express care to point out to his client that the effect of his not appearing with a co-defendant in the same interest may disentitle him to costs altogether, if unsuccessful.

LAW SCHOOL LECTURES—CONSTITUTIONAL LAW.

On Dec. 13th ult., Mr. Thomas Hodgins, Q.C., Chairman of the Law School, commenced a course of lectures on the above subject, as one of the lecturers in the now re-established Law School. By his kindness we are enabled to place before our readers some notes of the contents of these lectures, and of the line taken by the lecturer.

Mr. Hodgins commenced by pointing out that the Constitution of Canada differs from that of Great Britain on the one hand, and from that of the United States on the other, in that it is in part a written and in part an unwritten Constitution; unwritten, in so far as it is defined by the B. N. A. Act to be "similar in principle to that of the United Kingdom," (Preamble, B. N. A. Act); and written, in that the same instrument constitutes legislatures with enumerated and therefore limited powers. He also pointed out that while our Constitution derives its leading features of, political government from that of England, its legislative government embraces many of the distinctive characteristics of the Federal system of the United States. He then proceeded to mention some of the definitions given by writers of authority of certain terms of constitutional law, *e.g.*, "Constitution," "State," "Nation," "Sovereignty," "Government." As to the last, and the division of the powers comprised in it into legislative, executive, and judicial, Mr. Hodgins quotes from Cooley's Cons. Law 44, the somewhat striking observation that legislative power deals mainly with the future, and executive power with the present, while judicial power is retrospective, dealing only with acts done, or threatened, promises made, and injuries suffered. As the lecturer observed, "sovereignty" is the most important item to be explained in connection with the governmental and legislative powers of the Federal and Provincial authorities, and he remarked that besides the use of this word to signify supreme, absolute, uncontrolled power, it is often used in a far more limited sense to designate such political powers as, in the actual organization of the particular state or nation, are to be exclusively exercised by certain public functionaries without the control of any superior authority. In support of the argument that colonial legislatures or governments are "sovereignties" within the limits