of changing the law by statute, in so far as to declare privileged all confessions made to spiritual advisers. But it is certainly not desirable to change the present law by breaking down or modifying that privilege, as to lega advisers. It is in every respect, and in all aspects, fit and proper that confessions made by an alleged criminal to his attorney or counsel should not be divulged. If an attorney or counsel has acquired a knowledge of any criminal conduct, on the part of his client, from another source, then no privilege exists, nor need it exist, as to this. The maintenance and enforcement of the rule are supported by considerations which the Lord Justice Knight Bruce has expressed unanswerably: "Truth, like all other good things, may be loved unwisely, may be pursued too keenly, may cost too much. And surely the meanness and the mischief of prying into a man's consultations with his legal adviser, the general evil of infusing reserve and dissimulation, uneasiness, suspicion, and fear into those communications which must take place, and which, unless in a condition of perfect security, must take place uselessly or worse, are too great a price to pay for truth itself."—*Pearse* v. *Pearse*, 1 *De G. & Sm.* 28.

A well-authenticated anecdote is told respecting an ejectment suit, brought by a lady, a few years ago in England, who claimed some estates as sole heiress of the deceased proprietor. Before entering on proof of a long and intricate pedigree, which Mr. Adolphus her counsel had opened, Mr. Gurney, who was counsel for the defendant, offered to prove a fact which would end the suit at once, that the plaintiff had two brothers living, one of whom was then in court. Mr. Adolphus assented. The fact was proved, and on the plaintiff being asked whether she had communicated the fact to her attorney, she replied, "To be sure not; do you take me for a fool? why, he could not have undertaken the case if I had told him that." So difficult is it sometimes to get the truth and the whole truth from clients, under the most favourable circumstances. But remove the safeguard that the law has thrown around such communications, then awkward surprises and unpleasant discoveries worse than the above, would be the rule and not the exception. Then clients would be always speculating how far it would be safe to disclose their case; there would be half-confidences and imperfect narration of circumstances; suppressions and distortions of fact so that the advantages of advocacy would be well-nigh destroyed, and the relationship of solicitor and client, especially as to the "*alter ego*" theory, would become a meaningless thing, of small benefit to either.

BEQUEST TO A CHARITABLE INSTITUTION.

For the first time since the Reformation the effect of a bequest and devise to a sisterhood of nuns, in England, has been determined by *V. C. Wickens*, in *Cocks* v. *Manners*. This Judge manifested how fitly he is characterized as the English lawyer who knows most about the law relating to charities, by delivering his judgment of unquestioned soundness at the close of the argument. One object of the testator's bounty was "the community of the Sisters of the Charity of St. Paul, at Selley Oak," who appeared to be a voluntary association for the purpose of teaching the ignorant and nursing the sick. As to these, it was held that they were a charitable institution, and that, consequently, the devise of lands failed, though the bequest of pure personalty was valid. There was also a devise to the Dominican Convent, at Carrisbrooke, which it was shewn was an institution consisting of Roman Catholic nuns, who had associated themselves together for the purpose of working out their own salvation, by religions exercises aud self-denial, not visiting the sick or relieving the poor, except casually or accidentally. The Vice-Chancellor was of opinion that such a society was not charitable, and not within the meaning of the act, so that the devise to them, of £6,000 value, was upheld. The curious issue of the law on this case is very strikingly brought out in the language of the *Law Journal*, as follows:—

"The one institution, on its own showing, does not visit the poor, or teach the young, or engage in any of the works of charity or mercy; and because it abstains from doing these good deeds, it is allowed to become the recipient of £6,000. The other institution has to be content with £100 because its members employ themselves in teaching the children of the poor and in nursing the sick. Mr. Bagshaw, in his argument, well compared the two institutions to 'Mary' and 'Martha' of Scripture history—the one 'active,' the other 'passive'—the one 'practical,' the other 'contemplative.' May we not carry the illustration further? As it was of old, so now, the 'passive