

cannot delegate his powers even to a co-trustee: (*Crews v. Dicken*, 4 Ves. 97, a case where one trustee for sale released and conveyed to his co-trustee, and refused to join in the receipt of the purchase money). But a trustee can appoint an attorney to do many ministerial acts which involve no personal discretion. Thus he may appoint an attorney merely to pass the legal estate: (see *Farwell on Powers*, p. 446, 2nd edit. ). In *Offen v. Harman* (1 L.T. Rep. 315; 29 L.J. 307, Ch.), where trustees had power to consent to the substitution of other estates for the settled estates, and they were made parties to a deed for carrying out such substitution and saw and approved of the draft of it, the execution of such deed by one of them by attorney was held valid. Of course, in that case, the trustees had exercised their discretion personally. And it seems that a trustee may appoint a bank attorney to receive dividends and pay them to the cestui que trust; (*Clark v. Laarie*, 1 H. & N. 452; 2 H. & N. 199). And a trustee in whom the management of property in a foreign country is vested may, if resident in England, appoint an attorney abroad to execute the trust even in matters of discretion. There are also other cases in which delegation is permitted where there is a moral necessity for it. Thus a trustee may employ a broker to buy securities authorized by the trust, and may pay the purchase money to him, if he follows the usual and regular course of business adopted by prudent men in making such investments: (*Speight v. Gaunt*, 48 L.T. Rep. 279; 9 App. Cas. 1). It is submitted, however, that a prudent trustee in buying stocks will only pay for them, or instruct his bankers to do so, on production of the transfers. The Trustee Act, 1893, s. 17, expressly authorizes a trustee to appoint a solicitor to receive and give a discharge for money receivable under the trust by permitting the solicitor to have the custody of, and to produce, a deed containing a receipt for the consideration money. That section further authorizes a trustee to appoint a banker to receive and give a discharge for any money payable to the trustee under a policy of assurance, by permitting the banker or solicitor to have the custody of, and to produce, the policy of assurance with a receipt signed by the trustee. It was decided in *Re Helling and Merton's Contract*