

ABSOLUTE PRIVILEGE OF COUNSEL.—In the recent and now celebrated case of *Cumming v. Wilson* one of the witnesses claimed, but without avail, the protection of the Court from certain remarks of the Solicitor-General. The Master of the Rolls in the case of *Munster v. Lamb*, 52 L.J. Rep. Q.B. 726, states very clearly the absolute privilege of counsel and the reasons therefor in these words: "A counsel's position is one of the utmost difficulty. He is to speak of that which he knows; he is not called upon to consider whether the facts with which he is dealing are true or false. What he has to do is to argue as best he can without degrading himself, in order to maintain the proposition which will carry with it either the protection or the remedy which he desires for his client. If, amidst the difficulties of his position, he were to be called upon during the heat of his argument to consider whether what he says is true or false, or whether what he says is relevant or irrelevant, he would have his mind so embarrassed that he could not do the duty which he is called upon to perform. More than a judge, infinitely more than a witness, he wants *protection* on the ground of benefit to the public."

DISTRESS FOR RENT.—A picture sent back by the purchaser to the artist to be touched up or altered is not exempt from distress for rent upon the artist's studio. So it was held by Mathew, J., sitting without a jury, in *Van Knoop v. Moss*, and the authorities as a whole seem fully to bear out his lordship's opinion. It has, indeed, been said (see *Parsons v. Gingell*, 16 Law J. Rep. C.P. 227) that if articles are sent to a place to remain there they are distrainable, but that if sent for a particular object, and if the remaining at the place be an incident necessary for the completion of that object, they are not. But the better opinion is that the exemption from distress arises solely for the benefit of trade and commerce (see *Lyons v. Elliott*, 45 Law J. Rep. Q.B. 159), as is shown by the exemption being held applicable to pawned goods at a pawnbroker's (*Swire v. Leach*, 34 Law J. Rep. C.P. 150), and to a carriage sent to a coachmaker for sale (*Findon v. M'Laren*), but not to horses and carriages standing at livery (*Francis v. Wyatt*, 1 W. Bl. 483), or even to a ship in the course of being built in a dock, as was held by the Court of Appeal in *Clarke v. The Millwall Dock Company*, 55 Law J. Rep. Q.B. 378. There is no doubt that the law of distress presses very hardly on the property of persons who are strangers to the landlord. Even their money, if contained in a sealed bag, may be seized for the rent of a friend with whom they may be staying, though money loose cannot be seized (see Bac. Abr. "Distress," B., citing 22 Ed. IV. 506). [The above is subject, however, so far as we are concerned, to R.S.O. cap. 143, s-s. 27, 28.]—*Law Journal*.

EVIDENCE OF THE SOVEREIGN.—In the *Berkely Pecrage Case*, so it is said in *Taylor on Evidence*, 8th edit., vol. ii., p. 1175, in reference, no doubt, to the case heard at the beginning of the present century, "counsel entertained some idea of calling the Prince Regent as a witness, but it ultimately became