

and which amount should go to the general sick and funeral fund. A declaration was therefore claimed that the appropriation was a breach of trust, and that defendants were personally liable to make good the sum so divided, and as against the defendants, an order for repayment, an injunction of restraint, and an order for payment of costs were desired; for it appeared from the rules that the whole of the objects and rules of the lodge should be subject to the provisions of the general and district rules, and that lodges desirous of appropriating surplus capital must make application to the Grand Master and Board of Directors in manner laid down, and the directors should be authorized to allow appropriation of surplus capital on certain conditions, one of which was that in the event of a lodge at any time making a division of its funds contrary to the provisions, the amount so divided should be forfeited to the sick and funeral fund, and the trustees allowing such distribution or any member receiving any portion thereof should be held personally responsible for the amount so misappropriated. The counsel for the plaintiffs pressed for the full relief desired as a warning to other lodges not to take similar steps. The Vice-Chancellor referred to a similar case, *Schofield v. Vause*, where he was not asked to order payment of money, but to restrain in view of a further breach. Counsel for the plaintiffs, however, said that case was merely on so much of the rules as related to the secession of a lodge. He then referred to another case, *Cox v. James*, tried before Mr. Justice Chitty in February, 1882, brought by two directors of the Manchester Unity of Oddfellows against the trustees of the Strangers' Refuge Lodge to make them liable jointly and severally to pay a sum which had been divided amongst the members of the lodge contrary to the general rules of the society, and Mr. Justice Chitty made the order desired. The counsel for the defendants, whilst agreeing to an order, pleaded that no order should be made as to costs, as his clients had acted in ignorance of the rules of the Order. As to the case of *Cox v. James*, he said there the trustees had notice that they were not to divide the fund, but here the defendants had received no such notice. The Vice-Chancellor took the same view as Mr. Justice Chitty in *Cox v. James*. Referring to the plea of ignorance of the defendants, he said if there was any ignorance which should not be excused it was ignorance of the law on the part of trustees acting for a constituent body of men probably very little able to protect themselves, and therefore requiring the protection of trustees, who, as a rule, were persons of higher position than the people of whom they were representatives.—*Law Journal*.

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LAWYERS IN CONGRESS.—Mr. Frank Gaylord Cook, in an article in the *May Atlantic*, entitled "The Lawyer in National Politics," gives interesting statistics showing the great preponderance of lawyers in the Federal councils from the earliest days of the nation. Of the signers of the Declaration twenty-five of the fifty-five were lawyers, and of the committee charged with drafting it all but Franklin were lawyers. The convention of 1787 "was practically an assembly of lawyers," and the wisest that ever sat—thirty-four of the fifty-five members were lawyers. In the cabinets, six of the nine in Washington's were lawyers; five of eight in Adams'; six of ten in Jefferson's; eight of fourteen in Madison's;