

to say that recent case-law, notably the famous *Faulstich* decision, has done much to obliterate some of the old technical distinctions between corporate and unincorporate associations. At the same time, these distinctions do occasionally appear where they are least desirable. Our lack of any general theory of juristic personality leads us to legal conclusions which conflict sharply with the substantial facts of life and with the ordinary ideas of men. For example, every layman would regard a body like the Inner Temple or an ordinary members' club as possessing a truer corporate personality than the one-man company where all the shares but six are held by a single individual. Yet the law ascribes legal personality to the latter association and not to the former, with the practical result of enabling an individual to become his own preferred creditor. In such a case it is the popular view which is true to the actual facts, and the legal view which is the theoretical abstraction.

We may see the inadequacy of the legal theory even more strikingly when we come to deal with such a conception as that of the Church of England. Here the law is even at variance with itself. Magna Charta declares that 'the Church of England shall be free', and numerous statutes of mediæval and modern times refer to 'Ecclesia Anglicana,' 'L'Église d'Angleterre,' 'The Church of England by law established,' and so on. What is this