tion for that purpose commenced by writ in the Chancery Division. It is true that this is the general rule, but if a trustee remains out of the United Kingdom for more than twelve months a new trustee can be appointed in his place under the statutory power (sec. 10 of the Trustee Act, 1893), or, if that Act does not apply, the court could appoint a new trustee upon originating summons under Order LV., r. 13*a*, and in many cases it would not be necessary to serve the trustee who is residing abroad with the summons: (see *Re Bignold's Settlement Trusts*, 26 L.T. Rep. 176; L. Rep. 7 Ch. 223). Further, although a trustee cannot, as a rule, be removed against his will upon originating summons, if a trustee will neither act in the trusts or retire, and an originating summons is issued for the appointment of a new trustee in his place, he will sometimes retire at the suggestion of the judge rather than risk the cost of an action commenced by writ to remove him. Formerly the rule that all the cestuis que trust ought to be parties to an application to the court for the appointment of new trustees was strictly observed; but that is not so now. The judge will exercise his discretion according to the circumstances of each case, and there need not be an express order dispensing with service on certain beneficiaries; the court will proceed in their absence: (1901) W.N. 85).—*Law Times.*

WHAT IS BEING DONE BY PUBLIC UTILITY COMMISSIONS.

The Legal Status of Utility Regulation.—In the broad, equitable principles that are, fortunately, being more and more recognized in the application of law to public questions, we may say that this power of the State to regulate public utilities is based on three fundamental conceptions. First, that a public utility is a monopoly; second, that it performs a public service, is favoured with especial privileges and must yield a special obedience to the State's control; third, that its franchise value and any increase in value of its securities, come solely from the