

governing contracts, and not upon the law merchant. If so, those rules would not be impliedly superseded by the statute. In expressly saving the rules of the law merchant in cases not provided for in the Act, the American statute does not, like the English Act, mention common-law rules; but this seems immaterial for the reason that neither statute was intended to codify rules of the common law beyond the scope of the law merchant. In the *Lloyd's Bank Case* the English court expressly declared that the negotiability of the document constituted no reason why the doctrine of estoppel should not apply, but rather the contrary, as that fact more clearly indicated an intention that the agent should use the instrument as a means of raising money. It seems highly improbable that the intent of the statute was to create this unfavourable discrimination against the payee of a negotiable instrument when compared with the obligee of a non-negotiable contract. In the light of the latest English case applying the doctrine of estoppel, which was not considered in the Iowa case, it may be proper to conclude that this phase of the subject still presents an open question for the courts of this country.

THE DAMNATION OF THE MODERN BAR.

The lawyer has been abused time out of mind, but somehow or another he has never seemed to mind it much. Every now and then he may say something concerning the attacks upon him, but not in anger, or by way of apology or defence. He treats his critics with about the same degree of good-humoured tolerance that a St. Bernard shews to a barking toy spaniel. If the spaniel chooses to bark, why, it's all right, because it doesn't hurt the big dog and may amuse the little one. Besides, it may afford the St. Bernard some pleasing reflections on the difference between big dogs and little ones.

Since, then, lawyers have been so generally and so long abused, why have they not resented it? There are several reasons. As has been suggested, the lawyer's indifference to abuse is partly due to a feeling of superiority to the abuse, if