ed by that Court, his Lordship says:—"The whole thing is mere imagination about the agreement being *ultra vires*, and about the company committing a breach of trust. It proceeds only from a want of more accurately understanding the meaning of terms and the rules by which they are applied. Then to that must be added another extraordinary illusion." Then, after speaking of an argument drawn from the ultimate destination of certain money payable by the respondents, he says, "That is an utter confusion with respect to the provisions," &c., and again, "This is only another instance of misconception of the nature of the provisions applicable to this subject;" and his Lordship finished thus: "I regret that Sir C. Taylor has been put to the necessity of coming here to correct his misapprehension. This case is an extremely clear one, and I am clearly of opinion that the judgment of the Court of Exchequer Chamber must be reversed." Surely it was a very exceptional case which met with or deserved such crushing language from the Chamber of the Lords.—*Law Journal.*

WRETCHED TRUSTEES.

If you are a trustee, and you entertain a doubt as to the title of your alleged *cestuis que trust*, what ought you to do? Our student, fresh from the study of Mr. Lewin, would answer: "Pay the money into Court under the Trustee Relief Acts." This is a good answer so far as it goes. But suppose that your doubt or difficulty turns out to be an unreasonable one, you may be ordered to pay the costs of the payment into Court. How then are you, being an unlearned person, to find out whether your doubt or difficulty rests on a sound foundation, or is a creature of the merest imagination? The student will answer: "Take counsel's opinion." That reply, which on its face is wise and prudent, may lead the unlucky trustee into worse mischief. For here is the *dictum* of Vice-Chancellor Stuart in *Gunnell* v. *Whitear*, in the current number of our Reports:—"A trustee *ought not to consult counsel as to the right of his cestuis que trust.* If he has any reasonable difficulties and doubts as to their title, he should pay the trust money into Court under the Trustee Relief Acts. He is not to consult counsel as to the title of his *cestuis que trust.*" Of course his Honour did not mean that such an act would be improper or indecorous, but that costs would not be allowed. But if the trustee is not to consult counsel, how is he to know whether his doubts are reasonable or not? We confess that this *reductio ad absurdum* fairly staggers us. The only possible solution is that, in the eye of equity, every trustee undertakes to bring to bear upon the duties of his office such an amount of legal knowledge and skill as will enable him to decide whether or no reasonable doubts do exist as to the rights of his *cestuis que trust*; and if this rule is to prevail, we think it only fair that trustees should have distinct notice thereof. Perhaps the learned Vice-Chancellor had in his mind the celebrated case of *Jenkins* v. *Betham*, 15 C.B. 168, in which the Court of Common Pleas held that a person who holds himself out as a valuer of ecclesiastical property is bound to know, and to value according to the principle laid down in *Wise* v. *Metcalf*, 10 B. & C. 299. The analogy is not precise, because surveyors generally pursue a profitable calling, whereas trustees, like the victims of the ancient ordeal, walk among hot ploughshares, and very often stumble against them.—*Law Journal.*

France, like the Federal States, under the presidency of Lincoln during the civil war, is now governed by lawyers. According to the *Réveil* there are six barristers in the Government of National Defence, viz., Picard, Crémieux, Arago, Favre, Ferry, and Gambetta, and their four secretaries are of the same profession. Six of the ministers, nine of the higher ministerial officials, the police prefect and his general secretary, twenty-four of the commissioners despatched to the departments with extraordinary military and political powers, the whole of the newly-formed Council of State, the eight men at the head of the Paris Municipal Government, ten of the sanitary and food commissioners, six members of the War Department, six diplomatists, and five finance officials are also advocates.

All this is intelligible. The Paris bar is, and has been since 1789, republican to the backbone, and the party of the Left has throughout the Imperial *régime* looked for its champions among the great legal advocates. The system which has for its maxim, "Once a barrister always a barrister," has fostered this state of things to an extraordinary extent. The French barrister works under no obligation to uphold authority, and the temptations to resist it are to him many and powerful. Then, again, the bar must in all countries contain an exuberance of ambition. A barrister without ambition is an impossibility, and there are to be found in this class of men a host of persons strong in head, tongue, and heart, and these are the persons who naturally come to the front in critical times. In addition to these considerations, it is obvious that the bar affords exceptional opportunities of exhibiting talent; and however clever a man may be, he does not get into power unless his countrymen have means of detecting his ability. Whether the bar of Paris will gain in public repute by its present position is another matter. Marvellous as are the energy and the pluck of M. Gambetta, his treatment of the French generals is likely to form a complete set-off to his virtues. It is not our business to go into this question. It is enough to point to the phenomenon of France being entirely ruled by the bar.—*Exchange.*