

need not furnish the list . . . This will entail no inconvenience or hardship upon them, and is in line with the reasons given in *Parnell v. Walter* for compelling defendants to give further information as to circulation of the papers and pamphlets in that case, and in harmony with other decisions upon this point. The withholding of the name under the rule of non-disclosure of a witness intended to be called, cannot avail defendants: *Williamson v. Merrill*, 4 O. W. R. 528.

Of course, discovery must be kept within reasonable bounds, and should not be permitted to be used for purposes other than appear to be proper, having regard to the facts and questions involved in each particular case and the issues presented by the pleadings.

The production of the list of persons to whom the circulars were sent by defendants and examination thereupon may be of material assistance to plaintiffs in shewing bad faith in the publication of the circular or in disproving the defence that the circulars in question were sent only to those "with an interest and under a duty to receive them." I think defendants should produce the list . . . and submit to examination upon it. For the reasons fully given in the *Credit Assn.* case, I think plaintiffs are entitled to have the name or names of the alleged informant or informants of defendants.

The order will go as asked upon both the points involved in the motion. In view of the state of the authorities, costs will be in the cause.

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MABEE, J.

JANUARY 12TH, 1905.

WEEKLY COURT.

WISE v. GAYMON.

*Receiver—Equitable Execution—Ex Parte Order—Local Judge—Appeal—Forum—Extension of Time for Appeal—Previous Ex Parte Application—Direction to Serve Notice—Non-disclosure—Interest Under Will—Income—Married Woman—Restraint upon Anticipation.*

Motion by defendant Alberta R. Gaymon for leave to appeal from and to set aside an order granted by the local Judge