ing examples of this mode of interpretation, namely, the time-honoured Statute of frauds, a statute which now exists with slight variations in most if not all the Provinces of Canada and in many or all of the United States. As far as the writer is aware, this Statute has been fairly uniformly construed in the various countries where it has been in force, so that the criticisms which are here offered relate rather to the tendency of an age, than to the shortcomings of any one tribunal in particular.

In its very nature the Statute of Frauds is one which relates to matters of evidence, and does not change the substantive law. "No action shall be brought," implies the existence of a good cause of action, and, as matter of proof, requires that that cause must be proved by evidence of a certain kind. It does not in fact prohibit the bringing of the action, but condemns that action to failure for want of proof. Witness the fact that the action is in practice not only "brought" but tried out in the same way as any other action. But what of the case where no proof is or should be required, that is, where the defendant does not deny, but on the contrary admits the truth of the plaintiff contentions? It is well known that the Courts have consistently held that the action nevertheless fails by reason of the Statute. So that the Court becomes fully cognizant of the existence of a perfectly good cause of action, about which there is no shadow of a doubt, and is at the same time powerless to grant a remedy, by reason of its own decisions.

A recent Ontario amendment makes this situation more striking. The law-makers became convinced that in the case of actions for remuneration for the sale of land, legislation should be more paternal, or maternal, towards the defendant, than in actions for remuneration for any other kind of service. They therefore enacted that no such claim should be maintainable unless evidenced in writing duly signed by the defending party or his agent. Then, lest the way of the honest plaintiff who was so credulous as to trust his fellowmen had not been made sufficiently difficult, a further amendment required that the writing must