lish officials against the world. We often come across newspaper items which astonish us, but any thing so painful in its consequences, in this connection, as the following, which we take from an English legal periodical, we do not at present remember:

"Had not the facts been given in evidence before a coroner by several witnesses, we could not have believed that such stupidity and inhumanity as the police seemed to have excercised at a recent fire in the Hampstead-road was possible. From the evidence we gather that at the time the fire was first discovered the master of the house was absent, having left his six children in bed in charge of two servants. As soon as the alarm was raised one of the servants ran into the street with the baby, which she handed to a bystander, and essayed to return to save the other children. It will scarcely be credited that notwithstanding, there was, as proved by the witnesses, plenty of time, the police absolutely and persistently refused to allow her to return and save those who had been left behind. Fortunately two other of the children were saved by the man who discovered the fire, but the police refused to re-admit him to save the rest, and as the result three of the children died of suffocation.

It is quite right that on the occasion of a fire the efforts of the police should be directed to the prevention of robbery and the saving of valuable property from promiscuous plunder, but surely their instructions to that intent do not extend to a disregard of human life. If the police were on this occasion only carrying out their instructions, so much the worse for their superiors; but if they were merely acting on a too rigid interpretation of a general rule, as is possible, the proper limits of their discretion should be more distinctly pointed out, so that when they first take charge of a burning building, before the arrival of engines and escape-ladders, they may satisfy themselves either that all the inmates have been removed, or that all possible efforts to save them have been made and failed. Who is the responsible person in this matter it may be difficult to determine. If the Chief Commissioner be to blame he should lose no time in altering the police regulations, so as to prevent the recurrence of so scandalous a sacrifice as has taken place; if, on the other hand the constables on duty have exceeded or misconceived their order, the coroner's jury will perhaps know how to deal with them."

Whether this was the result of stupidity or inhumanity, or both combined, we cannot say; but we scarcely like to disgrace human nature by supposing it to be the second of the three. Neither can we tell the number of officials who were necessary to preserve the dignity of the law during the celebration of this human sacrifice, but we have a shrewd notion that under like circumstances in this country, including a supply of these vigilant officers (and we consider ourselves sufficiently law abiding), it would have taken a much larger force to have secured the death of these unfortunate children.

SELECTIONS.

RECENT CASES ON INTERROGATORIES.

The cases on the admissibility of interrogatories that have arisen in the common law courts during the past year, and are reported in the 14 *Weekly Reporter*, though not numerous, are of some permanent interest. None of them lay down any new rules for guidance, but several of the decided cases, and the rules that have been, or might be supposed to follow from them, have been modified in a manner which seems to deserve more than a passing notice. Disposing first of the decisions which merely follow, without altering or adding to already decided cases, we notice the case of *Jourdain* v. *Palmer*, 14 W. R. 283, from which it appears that "to entitle a party to interrogatories, it is not enough that he is entitled to discovery in equity on some ground and for some purpose, it must be upon the same ground and for the same purpose for which the interrogatories are sought." This proposition might pass as a truism if the ground on which the party is entitled to discovery in equity, and that on which he seeks to adminster interrogatories are so distinct that they can be separated, which would rarely happen; but the case does not help us to determine the intermediate position where the two things are neither identical nor entirely separate. Another point arising in the same case will be considered below.

In *Hawkins* v. *Carr*, 14 W. R. 138, we find that "in allowing interrogatories under the Common Law Procedure Act, 1854, s. 51, the Court will follow the practice in chancery"—a proposition which, although it has been more than once contested, would not seem to have required a considered judgment to establish it.

Three questions of considerable importance have been discussed as to the admissibility of interrogatories in the following cases:—Where it is asserted that the answers would tend to criminate the party interrogated; where the defendant in an action of trover seeks to discover the title of the plaintiff; and where the defendant seeks to discover the amount of damages incurred by the plaintiff. We propose to consider these questions in connection with the cases in which they arise, and then to offer a few remarks on this subject.