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IN the recent case of *Stephenson* v. *Dallas*, *ante* p. 253, the Chancellor has defined the scope of Rule 739, as to which some misapprehension exists. The Rule is only intended to apply where it is shown, from an acknowledgment by the defendant of the debt, or from other circumstances, that the defence is only for time, and the onus is thrown upon the defendant of shewing that he has a defence, where it is sworn on the part of the plaintiff that there is none. In the above case it was decided that when the facts are not clear and free from doubt, leave to sign judgment under the rule should not be granted; but where a distinct defence is not made out, terms should be imposed upon the defendant upon his being allowed to defend as a pledge of his *bona fides*, either by payment into court or otherwise securing a proportion of the amount claimed.

A BILL, indorsed by some of the most eminent members of the English Bar, has been introduced at the present session of the Imperial Parliament to regulate the procedure of the High Court. It is proposed to greatly reduce the operation of the Divisional Courts by enacting that motions for new trials and appeals from a judge sitting in court or chambers should be made to the Court of Appeal instead of the Divisional Court. We hope that a reform in a similar direction will be made in this Province, where numerous and expensive appeals, often on technical points, have disgusted suitors and diverted business from the courts. The Board of Trade has long ago provided means for settlement of disputes between its members by arbitration, and merchants prefer to resort to the same method of settlement rather than incur the risk of costly and prolonged litigation. The Divisional Court has not inaptly been called the fifth wheel of the legal coach, and there seems to be no good reason why it should not be abolished and its business transferred to the Court of Appeal. Its decisions are not decisive, nor are they in most cases accepted as final; while its varying constitution encourages defeated litigants to carry their cases to a higher court. The reform contemplated would necessitate a reduction in the expense of appeals to the Court of Appeal. The amount of money spent in the printing of pleadings, exhibits, and evidence in appeals to that court is a scandalous injustice to suitors, and benefits no one except the printers. There is no reason why appeals to the Court of Appeal should be more expensive than appeals as at present to the Divisional Court.