in the delivery of written interrogatories, at an early period in the history of Equity practice in this Province, the order for production of documents, and the right to make an oral examination of the opposite party after answer, or after the time for answering had elapsed, was substituted for the written interrogatories. It was hoped by subjecting the party to an oral examination the discovery of matters within his knowledge might be more readily obtained. The affidavit of documents, and the oral examination together are, we are sure, an improvement on the original method, but the modern practice is undoubtedly liable to abuse, and no doubt is often abused. At the same time it is somewhat difficult to suggest an effective remedy. The officer before whom the examination is conducted is generally loath to interfere with the course of such examinations; his pecuniary interest, moreover, is in favour of their being spun out as much as possible, not that we imagine that mere pecuniary interest would induce any Special Examiner to depart from his duty. At the same time, in doubtful points it would with some men have a certain weight. Then again the solicitors who are paid for their services by the hour, have a direct pecuniary interest in prolonging such examinations.

High-minded practitioners are, doubtless, not deterred by any pecuniary loss from making such examinations as short as possible, and from protesting against their being protracted to an unnecessary length. There are, however, men who have not such a nice sense of duty, and even men who have, may be deterred from objecting to prolixity, by reflecting that though the examination be shortened, there would be no saving of time, and possibly a loss of time by the wrangling to be gone through in order to maintain the ground. The only remedy we can think of for the evil, is to pay Special Examiners by salary, and give them greater power than they at present possess of cutting short examinations, taking good care that those only are appointed Special Examiners who are competent to exercise discretionary powers. When you have made it the interest of the examiner to make such examinations as short as possible, a long way will have been gained towards making them really more effective, and at the same time save them from being made oppressive, or needlessly costly.

ADMISSION OF ENGLISH BARRISTERS TO PRACTICE AT THE BAR OF ONTARIO.

CONSIDERABLE interest, and, we may say, in a sense no way offensive to Mr. De Souza, some amusement, has been created by the claim made by that gentleman, before the Common Pleas Divisional Court, to a right of audience in our Courts, by virtue of his having been duly called to the Bar in England, where he has won distinction of an academical nature, by gaining one of the Lincoln's Inn Scholarships, and from which he carries with him flattering testimonials of ability. His argument is certainly an ingenious one, and we shall not be surprised if he is successful in upholding it. We are able to present it to our readers in a concise form, in Mr. De Souza's own words:—

"The right of English Barristers depends upon R. S. O. c. 139, which in section 1 expressly declares the qualifications of those who are to practise at the Bar. There are five classes whose right is absolute and beyond the refusal of the Benchers; in four cases it is absolute upon certain conditions being performed, while in the other (that of English Barristers) there is no condition whatever. In section 1, sub-sections 1, 2, various periods of pupilage are prescribed, among them that of *membership* of the Law Society. In sub-sections 4, 5, as well as in 1 and 2, examination is imposed and the Law