fact belong. It is substantially the same as English Statute, 1 & 2 Vic., cap. 45, sec. 1, under which all the Judges agreed that a Judge of the Exchequer sitting in Chambers had jurisdiction to make an order in a Queen's Bench case, though the Statute authorizing it required it to be made by a Judge of the Court "in which judgment was entered"; (*Palmer v. The Justice Assurance Company*, 28 L.T. Rep., 120.) The Judge to whom application is made, may either refuse or grant the order sought; if he refuse it, and have in the matter before him absolute and supreme jurisdiction, there can be no appeal. But generally, unless taken away by express enactment, there is the right of appeal; for such is the ordinary practice of the Court: (*Chapman v. King*, 4 D. & L., 311.) Where the Court has original jurisdiction in reference to the subject matter refused in Chambers, it has, as a general rule, appellate jurisdiction: (*Robinson v. Burbidge*, 9 C. B. 289.) If the Judge grant the order applied for, and the matter be not one exclusively within his discretion an appeal may be had for a review of the order: (*Teggin v. Langford*, 10 M. & W., 556;—*Grussell v. Stokes*, 14 C. B., 678.) But the Judge has authority to open again an order granted by himself, or even to rescind it before it has been carried into effect upon his discovering that he has made it inadvertently, or that he has been surprized into making it by any perversion or concealment of facts: (*Shaw et al v. Nickerson*, 7 U. C. R., 543) If a party, knowing that Judges sometimes review their own orders, elect to make a second application to the Judge in Chambers, instead of appealing to the full Court, the decision of the Judge in Chambers cannot be appealed from: (*Thompson v. Becke*, 4 Q.B. 759) One Judge in Chambers cannot entertain an appeal from a brother Judge as a single Judge in such a case has no appellate jurisdiction: (*Ib.*) Neither the Court nor a Judge will allow a party to succeed in a second application, who has previously applied for the very same thing without coming properly prepared, unless perhaps upon satisfactory explanation of his previous conduct: (*The Queen v. The Manchester and Leeds Railway Company*, 8 U. & E. 413) or unless the first application has failed in consequence of some clerical error: (*Tilt v. Dickson*, 4 C. B., 736) The rule which prohibits the making of a second application upon the same ground as a former unsuccessful one has been made, is one of very considerable importance. In the first place it tends to secure regularity and propriety in the mode of making applications. It also protects the party, called upon to show cause, from being harassed by repeated applications; and it prevents the undue and wasteful occupation of the time of the Court: (*Ib.*, Wilde, C.J.) The Court will not encourage appeals from the decision of a Judge in a matter over which he had a full discretionary power, though differing from him on the merits of the particular case: (*Tomlinson v. Ballard*, 4 Q. B., 642) If the circumstances of a case are already insufficient to warrant an order made, it is the duty of the party affected by it to apply to the Court to vary or rescind it on the ground that it is not the result of a fair exercise of discretion: (*Griffin v. Bradley*, 6 C. B. 722) It is said that there is no inflexible rule as to the period at which such an application should be made, but the party must at least apply within a reasonable time: (*Ib.*) The application should in general be made in the course of the term next after the decision: *Meredith v. Gittins*, 15 Jur. 564; *Orchard v. Moxey*, 2 El. & B. 206, affirmed in *Callins et al v. Johnson*, 16 C. B., 588.) Two years is most undoubtedly an unreasonable time: (*Griffin et al v. Bradley, ubi sup.*) On a motion to rescind a Judge's order, the affidavits on which the order was obtained should be before the Court: (*Needham v. Bristowe*, 4 M. & G., 262; *Pocock v. Pickering*, 21 L.J., Q.B., 365) The rule should be drawn up on reading the affidavits filed in Chambers: (*Edwards v. Martin*, 21 L. J., Q. B., 884; *Grissell v. Stokes*, 2 N. C. L. Rep., and notes thereto.)

ATTORNIES AS ADVOCATES.

We refer to the case of *Regina v. Erridge*, in this number. We think Judge Gowan has taken the safe course in respect to admissions of attorneys to the the privilege of advocacy.

There was a time in the history of Upper Canada when it was considered necessary to admit (by Statute) individuals to practice—when the country was in its infancy, and when educational advantages were not easily to be had: that day has passed, and now in every township an elementary education is accessible to all; and in every county