

long in the one direction to warrant the hope that it might suddenly change at the sound of the voice of one crying in the wilderness. One suggestion, however, might be recorded in the spirit of hope that it might yet be taken up and brought to the rescue. In the language of the Courts, "The Legislature can easily say so." In other words the remedy is in the hands of the Legislature. Within the past few years there has been introduced into the practice in the Ontario Courts what has become commonly known as the "affidavits of merits," though not so designated in so many words in the rules. The effect of the provision under which this affidavit is required is, briefly, that in certain classes of actions the defendant is not entitled to defend, and judgment may go against him, without the taking of any evidence, unless he says in writing under oath that he has a good defence and discloses in like manner the nature of that defence. This practice has resulted in the saving of much idle and costly litigation and has served its purpose without any resulting hardship. Could not an analogous provision be added to the Statute of Frauds requiring the defendant to deny under oath, either in affidavit or otherwise, the facts set up by the plaintiff, or deny in partial degree and to a sufficient extent to be an answer in law to the plaintiff's claim, before being allowed to set up the Statute of Frauds as a bar to the action? This would be no hardship to an honest defendant, and would prevent many a dishonest defendant from setting up, as a shield against the payment of honest obligations, a Statute itself designed to prevent fraud.

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A NOVEL LAW SUIT.

The Supreme Court of the United States is, we are told, to be asked to determine whether the Bible can be legally excluded from the public schools of that country. It is said that prominent men in the various Presbyterian Churches are heading a movement to bring a test case