system of registration, we believe, are thoroughly satisfied with it; but of course it must not be lost sight of, that the facility it affords for expeditiously making title is by no means its leading claim to public acceptance, its principal merit is the security and certainty which it gives to titles; a security and certainty utterly unattainable under the old system.

COMMENTS ON CURRENT ENGLISH DECISIONS.

The Law Reports for April comprise 24 Q.B.D., pp. 361-507; 15 P.D., pp. 37-49, and 43 Chy.D., pp. 313-469.

PRACTICE—INFANT—DISCOVERY—(ONT. RULE 487).

In *Mayor* v. *Collins*, 24 Q.B.D., 361, a Divisional Court composed of Cave and A. L. Smith, JJ., decided that an infant plaintiff suing by his next friend could not be compelled to answer interrogatories for the purpose of discovery. Under the practice in Ontario he would, on the authority of this case, appear to be exempt from examination under Rule 487. It may, however, be remarked that the learned judges base their decision on the practice in Chancery, and that as that practice had not been altered by the Judicature Act it still subsists in England. In Ontario, however, all former practice inconsistent with the Consolidated Rules is superseded, and any unpro vided case is to be governed, not by reference to the former practice, but, as far as may be, by analogy to the Consolidated Rules (see Rule 3), and whether this fact makes any difference in the applicability of this case remains to be seen.

EXECUTOR—CONFLICT OF LAW AND EQUITY—JUDGMENT VOID AGAINST CREDITORS.

Vibart v. *Coles*, 24 Q.B.D., 364, is a decision of the Court of Appeal which cannot be regarded as an authority in Ontario on the main point decided, owing to the difference in the statute law of this Province and that of England; but it may be useful for reference in relation to the provision of the Judicature Act to the effect that where there is a difference between the rules of Law and Equity the latter are to prevail. In this case the defendant, as administratrix, was sued for a debt, and another action by another creditor was subsequently brought, in which judgment was recovered. This judgment, owing to some technical defect, was void as against other creditors; the defendant, however, paid the claim, which exhausted the assets of the estate, and the defendant set up this fact as a defence in the present action. In England there was a conflict between the rules of Law and Equity as to the right of a personal representative under these circumstances. According to the rule of Law, after suit brought by one creditor the personal representative could not, in case of a deficiency of assets, pay another creditor as against the first creditor suing; but in Equity he might do so. It was held in this case that the Equity rule prevailed, and that the defendant was justified in paying the second creditor in full. It was unsuccessfully argued for the plaintiff that the judgment of the second creditor, although bad as