

have prohibited in effect the execution insisted on here." Lord Macnaghten is more explicit. "If effect were given to the contention it would defeat the Act of 1882, and render the restraint on anticipation absolutely inoperative. No doubt a married woman restrained from anticipation would still be unable to give a security for advances; but those who had ministered to her extravagance would find a security in a judgment against her of an anticipatory character, swooping down upon her property from time to time as and when received; and so the restraint on anticipation would be of no avail." This reasoning applies to the income, no matter when it becomes due, and would equally protect income overdue at the date of judgment, as well as income falling due after its date, and therefore the case appears to be inconsistent with *Hood-Barrs v. Heriot*.

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#### DISCOVERY AND INSPECTION.

In a previous volume (ante, vol. 39, p. 762) we referred to some contrasts between the law of discovery and production in England and Ontario. It will be helpful to our readers to reproduce from the English *Law Times* an article discussing the practice on this subject as it obtains in England under Order XXXI. The article reads as follows:—

Numerous decisions have been given under the order providing for discovery and inspection, and amongst the labyrinth of cases those most important to the general practitioner will be noticed. Thus it has been held that a petitioner is a plaintiff and may interrogate (*Haden's Patent*, 51 L. T. Rep. 190), and that in patent and trade mark applications a party can interrogate, notwithstanding the statutory declaration as to particulars: *Crossely v. Tomey*, 34 L. T. Rep. 476. But it is in libel and slander actions that interrogatories are very useful, and a great deal of fighting has taken place in these actions as to whether certain interrogatories should be allowed and as to the mode and manner of answering when answered. The general principle upon which the Court proceeds is that it will not allow interrogatories of a fishing nature. Thus, where actions are brought against newspaper proprietors and they do not deny their re-