necessary verbosity, tautology and scandal, the introduction of which the ancient orders, regulating the English practice, so earnestly and repeatedly endeavor to prevent. *Beam's Orders*, 25, 71, 184, 272, 311, 492. By our public mode of proceeding, we have been relieved from all such embarrassments. It is wholly unnecessary, in any case, to file a long formal set of interrogatories to be sent with the commission, unless it should be sent to a distance, or into a foreign country, where the party, or his solicitor, cannot attend. But where the party, or his solicitor, who understands the nature of the matters in issue, to which the proofs are to be directed, can be present at the examination of the witnesses, as he always ought to be, the better and more correct mode, instead of sorting the witnesses to whom the respective interrogatories apply as directed by the English practice, *Whitelocke* v. *Baker*, 13 *Ves.* 515, * is to propound to each one of them exactly such interrogatories only as are most likely to draw forth the testimony he is capable of giving, and then to place each answer immediately under the interrogatory to which it is a response. In this way all unnecessary repetitions would be avoided, and the proofs would be placed in an orderly form, best calculated to prevent confusion, and to facilitate the perusal and consideration of them. *Lingan* v. *Henderson*, 1 *Bland*, 241.

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It would seem to be by no means impracticable, under our public mode of examination, to allow a party to the suit to make objections to the competency of witnesses, or to the relevancy of their testimony; and to have the examination suspended until the Court should decide upon their validity. In a Court of common law this course of proceeding is attended with little delay and no inconvenience, because the parties and witnesses being before the Judge who is to decide, the point may be instantly discussed, judgment immediately pronounced, and the examination proceed or otherwise, at once. But according to the mode of taking testimony in Chancery, similar despatch could not possibly be had. The examination must stop, the commissioners, parties and witnesses, who had been assembled, at much trouble and expense, must disperse; the commission, with all the proceedings under it, shewing the objection, must be returned to the Court; and then the parties must have a day to be heard; without which it would be unfair to pronounce judgment upon any such objection. Now, it is perfectly manifest, that such a course would be open to the greatest abuse. The parties might multiply, and in various forms reiterate objections of this kind, so as not only to delay, but actually to render it almost impossible to bring the examination of the witnesses to a conclusion, and the expenses might be reduplicated and increased to an enormous amount. 1 *Harr. Prac. Chan.* 478. But, besides, I am not satisfied, even if such a course were allowed, that it would be, in all cases, practicable, understandingly, and