

it be any answer to say that V. was added by order of the Court? If the order is erroneous the plaintiff ought not to act on it, and as no appeal lies from it, he is placed in a quandary. He cannot proceed with his suit without adding, at the risk of costs, a person against whom he makes no claim, and if he doesn't add him his action is liable to be dismissed for want of prosecution. Whether this is a proper method of carrying out the principles of the Judicature Act we think is fairly open to question. In the last mentioned case there was nothing to prevent the defendant and V. from bringing another action to enforce their alleged joint claim: and if the plaintiff failed to prove that the defendant was solely liable his action would fail: but to attempt to compel him to sue someone whom he considered he had no claim against seems a departure from sound principles, and the same observations apply with equal force to the first mentioned case.

We must confess that we think the old equity doctrines concerning the adding of parties, ought still, and we think under the Judicature Act, rightly construed, they do still prevail, and should be observed, and any attempt to depart therefrom, as in the cases above referred to, can only lead to confusion, and are made in forgetfulness of the dominant principle that the plaintiff is and always ought to be *dominus litis*: and to allow a defendant to add parties is an invasion of sound principles of litigation.

OUR COMMON INHERITANCE.*

By HON. HAMPTON L. CARSON, Philadelphia, U.S.A.

I thank you for your welcome, and in the name of the American Bar Association, whose representative I am, I address you, with all possible heartiness, as professional brothers:

"We band of brothers,

For he to-day that sheds his blood with me shall be my brother."

I come with a message from America, to take you by the hand, to look into your eyes, to give you assurance that we are pledged,

*This address was delivered at the Canadian Bar Association meeting, Montreal, September 4, 1918.