Smith, L.JJ.) were agreed that the injury was caused "by violent, accidental, external, and visible means" within the meaning of the policy, and that the plaintiff was entitled to recover.

PRACTICE—FOREIGNER, DEFENDANT—SERVICE OUT OF JURISDICTION—APPEARANCE UNDER PROTEST.

In Firth v. *De Las Rivas*, (1893) 1 Q.B. 768, the defendant was a foreigner. He had been served abroad with notice of the writ of summons, which he now moved to set aside. It was argued that the defendant had waived his right to object to the jurisdiction by reason of having entered an appearance in the action. The appearance contained on the margin the following memorandum: "N.B.—This appearance is entered under protest in order to preserve the defendant's right to object to the jurisdiction." It was contended that there was no power to enter an appearance under protest; but Wills and Charles, JJ., held that whether the appearance was bad or not the defendant was entitled, notwithstanding, to object to the jurisdiction. If it were bad, there was no appearance at all; and if it were good, it expressly saved in the defendant's right to take the objection, and fell within the decision of *Mayer* v. *Claretie*, 7 Times L.R. 40.

PRACTICE—PARTIES—MISJOINDER OF PLAINTIFFS—SEVERAL PLAINTIFFS SUING IN RESPECT OF DIFFERENT CAUSES OF ACTION—"SLANDER"—ORDER XVI., R. 1 (ONT. RULE 300).

In *Sandes* v. *Wildsmith*, (1893) 1 Q.B. 771, an attempt was made to join two separate actions for slander in one. The action was brought by two plaintiffs (mother and daughter), each of whom claimed damages in respect of different slanders by the defendants, some of which were alleged to have been spoken of the mother only, and some of the daughter only. Grantham, J., set aside the writ and statement of claim as being an abuse of the process of the court; but the Divisional Court (Wills and Laurance, JJ.), although of opinion that the two causes of action were improperly joined, yet thought the proper order to make was to require the plaintiffs to elect to which cause of action the present action should be confined, and to amend the proceedings by striking out all parts thereof which referred to the claim of the other plaintiff. Wills, J., who delivered the judgment of the court, without deciding what is really the proper construction to be put on Order xvi., r. 1 (Ont. Rule 300), was clear that the