

Nor can I see any serious disadvantages as likely to arise. Why should a second and a third defendant be dragged before the court by the plaintiff merely because by possibility No. 1 may want to ask for some relief against No. 2, and No. 2 against No. 3? Three suits settled in one, you say? But, then, the two extra disputes may be settled between the parties without suits; and, if not, complexity and multifariousness in a suit may be as great an evil as a multiplicity of suits. Nor can I agree with the somewhat sarcastic remarks of the writer of the article as to the new form of mortgage taken by Milburn. Surely he has heard of the court holding that a deed absolute in form was only a mortgage; and I see no reason why Milburn, in the case under review, should not have been permitted to show by oral testimony that he had not really assumed the plaintiff's mortgage, and had not impliedly undertaken with Rogers, or any one else, to pay it off, but had merely taken the conveyance as security from Collins. Upon this being shown, Rogers would be entitled to no indemnity from Milburn, and the only proper decree against him would be for foreclosure on default of payment.

That a decree should have been made containing a personal order against the *three* defendants for payment of plaintiff's claim and costs seems extraordinary in the face of *Real Estate v. Molesworth*, 3 Man. R. 116; *Nicholls v. Watson*, 23 Gr. 606; and *Clarkson v. Scott*, 25 Gr. 373; there being no privity of contract between the plaintiff and any defendant except the mortgagor.

GEORGE PATTERSON.

Winnipeg, May 29th, 1893.

REORGANIZATION OF OUR LAW COURTS.

To the Editor of THE CANADA LAW JOURNAL:

In the April number of the *Law Quarterly Review* of 1892, an article written by Thomas Snow, entitled "The Reform of Legal Administration; an Unauthorized Programme," proposes, among other things, the constitution of a final Court of Appeal which could be reached at once from the judgment in the first instance, and the abolition of Divisional Courts.

The desirability of simplifying our present very cumbersome and expensive system of obtaining a final disposition of a case is a