

and also claims for liquidated demands in money, with or without interest, arising in actions for the recovery of chattels. These changes will have the effect of nullifying *Solmes v. Stafford*, 16 P.R. 78, and a whole series of cases of a similar character. While on this point we may also point out that provision is made by Rule 603, enabling the Court to amend the writ on a motion for summary judgment on a specially endorsed writ, and to grant judgment in accordance with the writ as amended. We presume "writ" is intended to include the endorsement, but no doubt that point will be ere long presented for judicial decision.

By Rule 173, a conditional appearance may now, by leave of the Court or judge, be entered. Such an appearance is desirable where the defendant wishes to dispute the jurisdiction of the Court, or the fact that he has been duly served.

A comparison of Rule 185 with the former Rule 300, will show that a material change has been made as to regulating the joinder of plaintiffs. The much litigated case of *Hannay v. Smurthwaite* (1894), A.C. 494, had the effect of placing a very limited operation on the former Rule 300, notwithstanding the apparently wide language used. The amendment which has been made is based on the later English Rule, and would appear in effect to override *Hannay v. Smurthwaite*, but it reserves to the Court power to order separate trials in any case where embarrassment is likely to arise from the joinder of several plaintiffs having separate rights of action.

Rule 198 now requires a written authority to the solicitor, from a person named as a next friend, or relator, in any action or proceeding, to be filed.

In Rule 209 which regulates the cases in which third party notices may be served, we regret to see that the original practice has been restored. By the former Rule, 1313, the original practice was modified, and such notices could only be served where either contribution or indemnity was claimed, now they may also be served where "any other relief over" is claimed against a person not a party. The third party procedure rather tends to complicate actions and its utility