

selves, they agreeing to be bound by the result of that case. Then the defendants can defend and counterclaim as they proposed to do in their reply to the statement of defence delivered in the actions brought by the International Assets Limited against the directors. If Mr. Clarkson is thought to be a necessary party, the order will give leave to amend to that effect. As this order is made on the directors' application and for their benefit, it would seem a proper term that all should be liable for the costs of the action which goes on, both as between themselves, as substantially joint plaintiffs, and also to the defendants in case of their success. They are thereby subjected to no greater liability than they would be under if their four actions were consolidated, as they might have been, if they all had the same solicitors. If they so agree, this might be the form of the order. Such a joinder of plaintiffs would be allowable under Con. Rule 185, while the claims of the International Assets Limited against them, though differing in amount, are all based on a similar ground. Costs of the motions to be in the cause. F. Arnoldi, K.C., and D. L. McCarthy, K.C., for the directors. W. J. Boland, for the bank and the International Assets Limited.

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CLARKE v. BARTRAM—MASTER IN CHAMBERS—DEC. 4.

*Evidence—Examination of Witness on Pending Motion—Party Sought to be Added—Questions—Relevancy—Ruling of Examiner.*—On a pending motion by the plaintiff to add one Thomas Crawford as a co-plaintiff, Mr. Crawford was examined by the defendant as a witness. We then stated that he had assigned all his claims to the plaintiff, and that he had no claim outstanding against the defendant. The plaintiff wanted to ask him under what conditions and representations he had settled his claims against the defendant, so as to shew that he had a real cause of action against the defendant. These and similar questions were objected to by counsel for the defendant, but the examiner allowed them; and the defendant appealed against the ruling. The Master said that it was not clear to his mind why this examination was necessary or useful. If Crawford was willing to become a joint plaintiff in the action, and signed a consent, as required by the Rules, it would be very unusual to refuse the motion to have him so added. On the other hand, even if he had already signed the necessary consent (as to which there was no evidence), he could revoke it, if