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MORTGAGE ACTIONS—PARTIES.

In the recent case of *Blong* v. *Fitzgerald*, 15 P.R. 467, Rose, J., has decided that the wife of a mortgagor is not only a proper party, as was held in *Building & Loan Association* v. *Carswell*, 8 P.R. 73, and *Ayerst* v. *McClean*, 14 P.R. 15, but is now a necessary party to an action for foreclosure of the mortgage in order to bind her by the judgment in the action. If this decision is sound, it may have a rather far-reaching effect, as it practically casts a doubt on the efficacy of foreclosure proceedings which have been carried on without making the wife of the mortgagor a party. Before the 42 Vict., c. 22 (O.), which restricted the effect of a bar of dower in a mortgage, it was well settled that the wife of a mortgagor who had not barred her dower was not a necessary, nor even a proper, party to a suit brought by the mortgagee for the foreclosure of the equity of redemption, or for a sale of the mortgage property: *Moffat* v. *Thomson*, 3 Gr. 111; *Davidson* v. *Boyes*, 6 P.R. 27; and even after that Act it was held by Proudfoot, J., that the wife of a mortgagor could not maintain an action to redeem, after a final order of foreclosure had been obtained in an action against her husband, even though she was no party to the action: *Casner* v. *Haight*, 6 O.R. 451. In *Ayerst* v. *McClean*, *supra*, the learned Chancellor, although holding, as we have seen, that the wife is a proper party, expressly abstained from pronouncing any opinion as to whether or not a foreclosure of the husband alone would extinguish the dower of his wife. (See 14 P.R., at p. 16.) We have, therefore, now, two conflicting decisions of judges of co-ordinate jurisdiction, the one holding that a wife is not bound, and the other holding that she