

84. The Court or a Judge may at any stage of the proceedings, either upon or without the application of either party, and on such terms as may appear to the Court or a Judge to be just, order that the name or names of any party or parties, whether as plaintiffs or as defendants, improperly joined, be struck out, and that the name or names of any party or parties, whether plaintiffs or defendants, who ought to have been joined, or whose presence before the Court may be necessary to enable the Court effectually and completely to adjudicate upon and settle all the questions involved in the action, be added.

85. No person shall be added as a plaintiff without his own consent thereto.

86. Any application to add, or strike out, or substitute a plaintiff or defendant, may be made to a Judge at any time before trial or at the trial of the action in a summary manner.

87. When a defendant is added, unless otherwise ordered by the Judge, the plaintiff shall serve on such defendant a copy of the order joining him as a party, and of the statement of claim in the action, and may, before service, amend the statement of claim in such manner as the making of such new defendant a party shall render desirable.

88. If the statement of claim be amended before service under the last preceding rule, the statement of claim filed in Court and served upon the original defendant shall be amended in the same manner, or copies of such amended statement of claim shall be filed in Court and served upon the original defendant.

89. When a defendant claims to be entitled to contribution, indemnity, or other remedy, or relief, over against any person not a party to the action, or from any other cause it appears to the Court or a Judge that a question in the action should be determined, not only as between the plaintiff and defendant, but as between the plaintiff, defendant, and any other person, or between any or either of them, the defendant may, by leave of the Court or a Judge, issue a notice to that effect, stamped with the seal with which writs of summons are sealed.

90. A copy of such notice shall be filed with the proper officer, and served upon such person according to the rules relating to the service of writs of summons. The notice shall state the nature and grounds of the claim, and shall, unless otherwise ordered by the Court or a Judge, be served within the time limited for delivering his statement of defence. Such notice may be in the form or to the effect of the Form No. in the Schedule hereto, and therewith shall be served a copy of the statement of claim.

91. If the order giving leave to serve such notice be made at the trial, the Judge may postpone the trial as he may think fit.

92. If a person, not a party to the action, who is served as mentioned in Rule 90, desires to dispute the plaintiff's claim in the action as against the defendant, on whose behalf the notice has been given, he must file a memorandum to that effect, in the Form No. in the Schedule hereto, within days from the service of the notice. In default of his so doing, he shall be deemed to admit the validity of the judgment obtained against such defendant, whether obtained by consent or otherwise: Provided that a person so served, failing to file a memorandum within such time, may apply to the Court or a Judge for leave to defend, and such leave may be given on such terms (if any) as the Court or a Judge may think fit.

93. If a person, not a party to the action served under these rules, file a memorandum pursuant to the notice, the party giving the notice may apply to the Court or a Judge for directions as to the mode of having the question in the action determined, and the Court or Judge, upon the hearing of such application, may, if it shall appear desirable so to do, give the person so served liberty to defend the action upon such terms as shall seem just, and may direct such amendments to be made in the statements of claim and of defence, or such fresh statements to be delivered, and, generally, may direct such proceedings to be taken, and give such directions as to the Court or Judge may appear proper for having the question conveniently determined, and as to the mode and extent in or to which the person so served shall be bound or made liable to the decision of the question.

CHAPTER III.

JOINDER OF CAUSES OF ACTION.

94. Subject to the following rules, the plaintiff may unite in the same action, and in the same statement of claim, several causes of action, but if it appear to the Court or a Judge that any such causes of action cannot be conveniently tried or disposed of together the Court or Judge may order separate trials of any such causes of action to be had, or may make such other order as may be necessary or expedient for the separate disposal thereof.

95. No cause of action shall, unless by leave of the Court or a Judge, be joined with an action for the recovery of land, except claims in respect of mesne profits, or arrears of rent in respect of the premises claimed, or any part thereof, and damages for breach of any contract under which the same or any part thereof are held.

96. Claims by a trustee in bankruptcy as such shall not, unless by leave of the Court or a Judge, be joined with any claim by him in any other capacity.

97. Claims by or against husband and wife may be joined with claims by or against either of them separately.

98. Claims by or against an executor or administrator as such may be joined with claims by or against him personally, provided the last-mentioned claims are alleged to arise with reference to the estate in respect of which the plaintiff or defendant sues or is sued as executor or administrator.

99. Claims by plaintiffs jointly may be joined with claims by them, or any of them, separately against the same defendant.

100. The last three preceding rules shall be subject to Rule , and to the rules hereinafter contained.

101. Any defendant alleging that the plaintiff has united in the same action several causes of action which cannot be conveniently disposed of in one action may at any time apply to the Court or