

personally, as well as for the relief he seeks for the benefit of the company. In view of what was said in *Stroud v. Lawson*, *supra*, he would do well to consider whether he could do this under Con. Rules 185 and 186. That would depend (1) upon whether the two actions (for such they were) arose out of the same transaction or series of transactions and involved a common question of law or fact; and (2) whether the defendants were the same in both actions; as it was held they were substantially in the *Stroud* case. The second claim was only against the company and one of the personal defendants. These questions might come up for discussion later. At present an order should go requiring the plaintiff to amend as he might be advised so as to conform to Con. Rule 185. Costs of the motion to be to the defendants in any event. In *Stroud v. Lawson*, the action was properly brought by the plaintiff in his two capacities, though his statement of claim did not make a case allowing joinder of the two claims. Featherston Aylesworth, for the defendants. T. P. Galt, K.C., for the plaintiff.