

court had a discretion as to allowing different causes of action by several plaintiffs to be joined in the same action, and that the test whether two or more distinct causes of action should be allowed to be joined was whether, in case separate actions should be brought, the court would order the actions to be consolidated. *Booth v. Briscoe*, 2 Q.B. 496, was distinguished because there the action was brought by eight co-trustees for a single libel reflecting on them all.

PRACTICE—PERSONS HAVING THE SAME INTEREST IN ONE CAUSE—ORDER AUTHORIZING DEFENDANTS TO DEFEND ON BEHALF OF OTHER PERSONS INTERESTED WHO ARE NOT PARTIES—POWER TO MAKE OVER AGAINST WILL OF DEFENDANT—ORDER XVI., r. 9 (ONT. RULE 315).

*Wood v. McCarthy*, (1893) 1 Q.B. 775, is a decision of a Divisional Court (Wills and Laurance, JJ.), affirming an order of Bruce, J., authorizing the defendants in the action to defend on behalf of all the members of a benefit society of which the defendants were respectively president and secretary. The action was brought by the plaintiff as a member of the society to enforce his rights under one of the rules of the society, which provided that in case a member became permanently disabled by accident a levy should be made on all the members of the society for his benefit. The plaintiff applied for an order authorizing the defendants to defend on behalf of all the members of the league. The defendants resisted the action, relying on the late case of *Temperton v. Russell*, (1893) 1 Q.B. 435, (see *ante* p. 284); but it was held by the court that this was a case in which the plaintiff sought to enforce a beneficial proprietary right in which the persons sought to be represented were interested, and that the case was therefore within the class of cases in which Lindley, L.J., in *Temperton v. Russell*, said that the order could properly be made under Ord. xvi., r. 9 (Ont. Rule 315).

PARLIAMENTARY ELECTION—ELECTION PETITION—AMENDMENT—JUDGE NOT ON ROTA—JURISDICTION.

In *Shaw v. Reckitt*, (1893) 1 Q.B. 779, a Divisional Court (Hawkins and Cane, JJ.) set aside an *ex parte* order of Grantham, J., allowing an amendment of an election petition on the ground that the learned judge was not on the *rota* for the trial of election petitions, and had therefore no jurisdiction, and also because in any case such an order ought to be made *ex parte*. We are