ground I agree with the plaintiff. The actions are so different that they certainly could not be consolidated. Even if this could be done, the conduct of the cause should ordinarily be given to the earlier plaintiff. See Girvin v. Burke, 13 P. R. 216.

If both of these cases are set down on the same list, and come on before the same Judge, he will be in a position to deal with them far better than any one else. I think it should be left with him, and that this motion should be dismissed, with costs to plaintiff in the cause.

This will be without prejudice to any application that may be made to the presiding Judge at Ottawa. . . .

It may be safely assumed that all the witnesses in both actions reside at Ottawa, and can be secured at any time.

CARTWRIGHT, MASTER. SEPTEMBER 17TH, 1906.

CHAMBERS.

GRANT v. McRAE.

Slander—Pleading—Defence—Striking out—Embarrassment —Privilege—Mitigation of Damages.

Motion by plaintiff to strike out paragraphs 3 and 4 of the statement of defence as embarrassing.

Featherston Aylesworth, for plaintiff.

Grayson Smith, for defendant.

THE MASTER:—This is an action in which the plaintiff alleges that the defendant on 3rd January last, and on various other occasions, spoke and published the following words concerning the plaintiff: "Dan Grant burnt the barn for the insurance." The innuendo was that the plaintiff was guilty of the crime of arson.

It is admitted that the barn was insured at the time it was burnt.

The statement of defence was delivered on 4th September instant. The defendant was examined for discovery