

ada Foundry Company jointly. The statement of claim stated that plaintiff was employed by the Canadian Pacific Railway Company to work upon the construction of a line of railway which was being constructed by the Canadian Pacific Railway Company under the name of the Guleph and Goderich Railway, but which was leased and operated by the Canadian Pacific Railway Company; that during the progress of the work it became necessary to erect a steel bridge across the Grand river, and the Canada Foundry Company agreed with the other defendant companies to construct the bridge; that plaintiff was ordered by his employers to assist in this work, and did so; that defendants undertook the placing of the necessary girder, and plaintiff assisted in this on his employers' orders; that the work of laying the girder was so negligently done that plaintiff was seriously injured; that all the apparatus used in placing the girder, including the roadbed upon which the cars rested, were under the control of "the defendants;" and that they were negligent in not providing a suitable and safe roadbed, as well as other proper and efficient apparatus. Certain specific defects were pointed out in the derrick used in laying the girder, and in the place adopted for that purpose. In the last paragraph it was said that "the said accident happened by reason of the said negligence of the said defendants, and by reason thereof the plaintiff suffered the injuries herein complained of."

On this defendants the Guelph and Goderich Railway Company moved for an order requiring plaintiff to elect against which defendant he would proceed, or else to amend his statement of claim, or furnish particulars.

Plaintiff, without waiting for the motion to be heard, furnished full particulars.

Defendants the Canadian Pacific Railway Company moved for a similar order.

Shirley Denison, for both defendant railway companies.

R. H. Greer, for the Canada Foundry Company.

Hugh Guthrie, K.C., for plaintiff.

THE MASTER:—The only question at present is, whether the statement of claim sufficiently alleges a joint cause of action against all three defendants.