

the merits disclosed the other defendants are not responsible, for the only act complained of against Benedict was in executing the warrant of arrest, viz., hand-cuffing: *Hamilton v. Massie*, 18 O. R. 585. The plaintiff sets up two separate causes of action, and he cannot join them in one action: *Gower v. Couldridge*, [1898] 1 Q. B. 348; *Smurthwaite v. Hannay*, [1894] A. C. 494; *Mooney v. Joyce and Faulds v. Faulds*, 17 P. R. 244 and 480. But the plaintiff is entitled to an order as to the defendants Benedict and Miles, joining with them defendant Gibbons, who is within the jurisdiction, and who is charged as one of the persons who caused the laying of the information, and he is a proper party to the action, and that justifies an order for the issue of a writ and its service out of the jurisdiction under Rule 162 (g): *Croft v. King*, [1893] 1 Q. B. 419. If plaintiff fails in the action as to Gibbons, then his only justification for having brought it will be shown to have had no existence, and the order to be issued should contain a condition that in case the action be dismissed as to Gibbons the plaintiff will consent to its dismissal as against the other two defendants.

Beatty, Blackstock, Nesbitt, Chadwick, and Riddell, solicitors for the plaintiff.

MASTER IN CHAMBERS.  
MEREDITH, C.J.

JANUARY 3RD, 1902.

CHAMBERS.

TAWSE v. SEGUIN.

*Particulars—Further Particulars—Interpleader Issue.*

Appeal by defendants from order of Master in Chambers requiring them to furnish to plaintiff particulars which were directed to be furnished by two previous orders.

The particulars ordered were in relation to the amounts alleged by the defendants to have been advanced to the deceased.

R. C. Clute, K.C., for defendants.  
Gideon Grant, for plaintiff.

MEREDITH, C.J.—Held, that the particulars furnished prior to the order appealed against were not such particulars as the defendants by the two previous orders, or by either of them, had been required to furnish, and therefore the order was right, but it should be varied so as to point out more exactly what it is that the defendants have not done which they ought to have done. Costs to plaintiff in any event.

Dods & Grant, Toronto, solicitors for plaintiff.  
Clute, Macdonald, MacIntosh, & Hay, Toronto, solicitors for defendants.