

been parties to a common act which has caused damage to the plaintiff, they may be joined in the same action, though the nature and extent of the relief to which he may be entitled against them is different." Here the causes of action, though technically different, are practically identical, and the nature and extent of the relief sought is also identical. If the words of Mr. Justice Osler have any application at all, it must be to a case like the present.

The motion will therefore be dismissed, but, as the practice is by no means clear, the costs should, I think, be in the cause.