50, 53. The Master also said that it was at least doubtful whether these four plaintiffs could have united in one action—the only thing alleged in common was the fact that a fire or fires were negligently set out by the defendants. This, though, technicality in issue, was probably not denied, so far as the fact of fire being set out was concerned. But what would be sufficient proof of negligence by one plaintiff might not be so in the case of the others—much would depend upon location, direction of wind, condition of the plaintiff's own property, and other circumstances peculiar to each case. The only direction that could usefully be given now was, that the actions should be all set down together, so that any evidence common to all (if such there were) might not be repeated, as the trial Judge would, no doubt, direct. See Carter v. Foley-O'Brien Co., ante 888, citing the Raleigh case. As to the examinations for discovery, that point, too, was dealt with in Carter v. Foley-O'Brien Co., though there it was the converse case of a plaintiff wishing to have one examination for discovery—to be applicable to all the three actions. Neither of the reliefs asked for here could possibly have been granted if the plaintiffs had not all been represented by the same solicitors. See as to this Conway v. Guelph and Goderich R.W. Co., 9 O.W.R. 369, affirmed 420. For the same reasons, it did not seem possible to interfere with the examinations for discovery. As the plaintiffs' solicitors were the same, it was not to be presumed that, if one examination gave the necessary information, they would proceed with the others—especially as these depositions could not be used at the trial. But, even if they did, that must be left to the trial Judge or the Taxing Officer to deal with. The only way of avoiding more than one examination was for the defendants to make admission of such fact or facts as were common to all the cases. But, apart from their own consent, there was no power to control or limit the plaintiffs' proceedings, so long as they were regular. Motion dismissed; costs in the cause to the plaintiffs. R. C. H. Cassels, for the defendants. H. E. Rose, K.C., for the plaintiffs.

LYON v. GILCHRIST—MASTER IN CHAMBERS—APRIL 17.

Practice—Consolidation of Actions—Common Defendant—Distinct Causes of Action—Direction as to Trial.]—Motion by the defendant in two actions brought against him by two different plaintiffs, husband and wife, for an order consolidating the actions. The Master said that the actions were similar, but they