the other actions or proceed with them, as he saw fit. As this relief was an indulgence to the defendants, they were compelled to consent to this somewhat one-sided bargain. See, for example, *Colledge* v. *Pike*, 1887, 56 L. T. 124.

Conversely, where a plaintiff, having brought several actions for similar causes of action, applied for a stay of proceedings to relieve him from the onus of prosecuting a number of actions in which he might be unsuccessful, a stay was ordered, upon the terms that if he failed in the action which he chose as a test action he should consent to a judgment against him in all the others.

In the Courts of Equity, consolidation in either the strict sense or the modified sense seems to have been unknown. The Court undoubtedly exercised its power to restrain abuse of its process, and it would not permit the prosecution of two suits for the same cause of action; but the reported instances differ widely from the cases at common law. If two actions were brought on behalf of an infant by different next friends, the Court stayed the proceedings in one. If two suits were brought for administration, as soon as judgment was pronounced in one the proceedings in the other were stayed; because the administration judgment was a judgment in favour of all. Where several suits were brought by different debenture holders, for the purpose of realizing their securities, one action alone was allowed to proceed. The principle in all these cases was that two suits for the same relief ought not to be allowed to proceed in the same Court concurrently. See cases collected in Daniell's Chancery Practice, 5th ed., 698.

After the Judicature Act, in *Amos* v. *Chadwick*, 1877, 4 C. D. 869, Malins, V.-C., construed the Consolidated Rule in the manner now rejected by the Court of Appeal; but, by virtue of the inherent power to prevent abuse of the process of the Court, he stayed until after the trial of the test action seventy-eight sections brought by different shareholders against the directors of a company for misrepresentation in the prospectus. The plaintiff selected failed to prosecute his action, and, not appearing at the trial, the actios was dismissed. The terms of the order for consolidation appear from the report of the case in 9 C. D. 459. It provided that the plaintiffs who had applied for consolidation should be bound by the test action, but the defendants were to be at liberty to require a separate trial. After this