and directing that certain paragraphs of the defence in an action for libel should be struck out or amended.

C. A. Moss, for defendants.

N. W. Rowell, K.C., for plaintiff.

THE COURT (BOYD, C., FERGUSON, J.), dismissed the appeal with costs to plaintiff in the cause, agreeing with the opinion of Street, J.

CARTWRIGHT, MASTER. SEPTEMBER 12TH, 1903.

CHAMBERS.

TOPPING v. EVEREST.

Security for Costs—Infant Plaintiff—Injury to—Action for—Joinder of Parent—Next Friend—Both Plaintiffs out of Jurisdiction.

Motion by defendant for security for costs.

Action for damages for an injury caused to the infant plaintiff and for loss occasioned thereby to the co-plaintiff, the infant's father, by whom also as next friend the infant sued.

After the issue of the writ of summons the whole family removed to the United States, and the father sold all the property he had in Ontario.

C. A. Moss, for defendant.

J. R. Meredith, for plaintiffs.

THE MASTER.—It was admitted that the father must give security if he intends to proceed with his claim; but it was argued that in no case could the next friend of an infant be required to give security for costs.

This was distinctily held in Moran v. Kellogg, 10 C. L. T. Occ. N. 184. . . . To the same effect are Roberts v. Coughlin, 28 P. R. 94. . . . Scott v. Niagara Navigation Co., 15 P. R. 409. . . . In the latter place the Chancellor said: "The primary object in requiring that an infant shall sue by next friend is not that the defendants may have security for costs, but that there must be some one before the Court to answer for the propriety of the action, and through whom the Court may compel obedience to its orders."