

the Court of Appeal, in Ireland, *Sweeney v. Coote*, [1906] 1 I. R. 51: At p. 109: "but I can find no authority, or principle to support the proposition that an act may be done by each of two people without incurring any legal liability for loss consequent thereon, and yet that the same act, done in the same way, with the same intent, and with the same consequences, will be actionable, if it is done in pursuance of an agreement made between them before they do it."

It appears then, from the evidence, and the findings of the trial Judge, that the defendants were authorized by the various jockey clubs, to represent them in the Canadian Racing Association; that the action taken by them which resulted in the expulsion of the plaintiff from the Hamilton racing course was reasonable, proper, and necessary for the good government of the race course during its meeting; that the action of Monck was in his representative capacity as vice-president of the Hamilton Jockey Club, which he had a right to do as he did, and that the defendants, so far from doing any wrong simply discharged their duty in the representations which they made in regard to the plaintiff's conduct at the Fort Erie races.

Upon the facts and authorities it is clear, I think, that the action of the plaintiff fails, and this appeal should be dismissed with costs.

---

MASTER IN CHAMBERS.

NOVEMBER 25TH, 1912.

DAVISON v. THOMPSON.

4 O. W. N. 396.

*Discovery — Further Production — Similar Transactions — Lack of Relevancy.*

MASTER-IN-CHAMBERS dismissed motion for further discovery and further production, on the ground that defendant had no right to discovery as to transactions of plaintiff with others similar to those with him.

Motion by defendant for further production by plaintiff and further examination for discovery.

W. M. Hall, for the motion.

J. T. White, contra.

CARTWRIGHT, K.C., MASTER:—The statement of claim alleges that defendant is liable to plaintiff for the amount of \$1,100 and interest, the amount of two notes of \$500