

high a standard to be observed in the relationship of service, whether wholly or partly domestic.

In my opinion, the master was justified, and the action fails.

Appeal allowed with costs, and the action, except as to the amount paid into Court, dismissed with costs.

LATCHFORD, J., briefly stated his reasons for agreeing.

MAGEE, J., also agreed in the result.

TITCHMARSH v. WORLD NEWSPAPER Co.—MASTER IN CHAMBERS
FEB. 10.

Libel—Pleading—Innuendo—Notice of Action.]—Motion by the defendants in an action for libel to strike out the whole of the statement of claim as embarrassing, because the notice of action was not alleged; or to strike out the innuendo in the statement of claim, because it was not set out in the notice of action. The Master said that *Conmee v. Weidman*, 16 P. R. 239, was conclusive against the defendants on the first branch of the motion; and as to the second branch, that, although it might be expedient, as suggested in *King on Libel*, p. 385, to indicate in the notice of action the defamatory sense of the alleged libel, it could not be said to be necessary: R. S. O. 1897 ch. 68, sec. 6 (2). *Obernier v. Robertson*, 14 P. R. 553, and *Gurney Foundry Co. v. Emmett*, 3 O. W. R. 382, 554, do not support either branch of the motion. Motion refused with costs to the plaintiff in any event. K. F. Mackenzie, for the defendants. A. E. Knox, for the plaintiff.

GENERAL CONSTRUCTION Co. v. NOFFKE—MASTER IN CHAMBERS
FEB. 11.

Pleading—Default—Leave to Defend—Particulars.]—Motion by the defendants for leave to defend, after noted default, and for particulars of the statement of claim. The Master, following *Muir v. Guinane*, 10 O. L. R. 367, made an order allowing the defendants in to defend and allowing them to renew the motion for particulars after they have had discovery, if they so desire. The time for trial to be shortened so that the trial may come on as if the defendants had pleaded in due course. All costs lost or occasioned by this order to be to the plaintiffs in any event. J. T. White, for the defendants. G. H. Kilmer, K.C., for the plaintiffs.

DEVANEY v. WORLD NEWSPAPER Co.—MASTER IN CHAMBERS—
FEB. 11.

Parties—Joinder of Defendants—Pleading—Conspiracy—Defamation.]—Motion by the defendant Fasken to set aside the