

The motion was heard by the Senior Registrar of the High Court Division, sitting in lieu of the Master in Chambers. The learned Registrar said that it was suggested that what the defendants really wanted was particulars of the damages which the plaintiffs allege that they had sustained, and that, as it was improbable that on the trial of the action the Court would go into the question of the quantum of damages, but would probably refer that question to a Master, it might be regarded as a premature proceeding now to require the plaintiffs to deliver the required particulars. If this were a plaintiff seeking particulars from a defendant in reference to the plaintiff's damages, that might be so; but, where a defendant is applying for particulars from the plaintiff of his alleged damage, the case is different, and what in the case of a plaintiff might not be proper to grant, may be quite proper to grant in the case of a defendant. The inquiry into the particulars of the plaintiff's alleged damage appeared to be necessary before trial to enable a defendant to say whether or not he would pay money into Court in satisfaction of the claim, and for that purpose he was entitled to be put in possession before a trial of such particulars of the plaintiff's claim as would enable him to form an estimate of its character. Usually plaintiffs were careful to claim at all events enough to cover the injury of which they complained, but in the present case the plaintiffs appeared, according to the particulars which they had furnished, to have suffered over \$16,300 damage, and yet had only claimed \$15,000. This led to the conclusion that the plaintiffs themselves had not a very definite idea of their alleged damages. But, when a suitor comes into Court, he ought at least to be in a position to furnish to his opponent reasonable and definite information of the damage of which he complains. Applying these considerations to the answers of the plaintiffs to the defendants' demand, the conclusion was reached that, in some respects complained of, they were insufficient; and further and better particulars should be given in respect of the following matters: (1) name of person who made the representation referred to in the 5th paragraph of the statement of claim; (2) particulars demanded by 4th paragraph of demand; (3) better and more detailed particulars of the two items of \$8,000 each in the plaintiffs' answer numbered 6; (4) particulars of the number of gramophones and records respectively which the plaintiffs alleged that they were prevented from making owing to the matters complained of in the 9th paragraph of the statement of claim; (5) further and specific statement of the expense of the