

laid down in *Bikerton v. Dakin*, 20 O. R. 192, 695, and seeing that the object of the legislation has been to simplify the procedure, I think the learned Judge rightly ruled that the affidavit of verification by the solicitor, as agent, was a sufficient compliance with the statute. . . . Forms are not of inflexible use, and if the verification is in the same way and to like effect as in the case of registration, I think there has been "substantial compliance," to use the phrase found in sec. 19 (1), with the scheme of the Act.

The learned Judge, however, has directed that plaintiff amend the statement of claim by indorsing therein "the particulars of the plaintiffs' residence as required by the Rules in that behalf." The ten plaintiffs are day labourers who did work for defendants on the railway in the district of Rainy River, and it is set forth in the statement of claim that they reside in that district. The plaintiffs' solicitor says in an affidavit that they move about from place to place as they obtain employment, and it is said that defendants were present during the carrying on of the work and have knowledge of who the plaintiffs are, and that the information given as to residence is as much as is practically possible. It is evident that these plaintiffs had no fixed place of abode, to which reference could be made in order to bind them. . . . It is not desirable nor is it needful that all the niceties of practice in due sequence should attach to the summary procedure provided for the realization of workmen's liens. .

In the case of a writ of summons, where the plaintiff sues by solicitor, the writ is to be indorsed with the solicitor's name and place of business: Rule 134. True it is that by the practice in the High Court and by the incorporation of the form of writ, which is not a part of the Rule, the address of plaintiff himself is also to be given (i.e., his place of residence). But the Rules themselves only require that to be given when plaintiff sues in person: Rule 135. The Rule which applies to this case is Rule 136: "Indorsements similar to those mentioned in the two next preceding Rules shall also be made upon every writ issued and upon every document by which proceedings are commenced in cases where proceedings are commenced otherwise than by writ of summons." This statement of claim under R. S. O. ch. 153, sec. 31, contains the name and address of the solicitor by whom it is issued and filed, and that meets the legitimate requirements of Rule 136. It was suggested that the address of plaintiffs should be set forth in order to facilitate the obtaining security for costs in a proper case (see Rule 1199), and that is probably the reason why the practice in the High Court has settled into