

PARKS v. BAKER.

[MR. CARTWRIGHT, Official Referee, 30TH  
NOVEMBER.

*Security for costs—Health officer—R. S. O. c. 73, s. 1—Benefits of enactment not to be evaded by other allegations.*

Judgment on application by defendant Northmore under 59 V. c. 18, s. 7 (O.), for an order for security for costs, on ground that anything done by said defendant in matter out of which action arose was done in his capacity as a health officer, and that he is therefore within provisions of R. S. O. c. 73, s. 1. Held, that the benefits of these enactments are not to be evaded by alleging a conspiracy, and that as appears by material filed it was clearly the duty of applicant to act as the public health officer. Order to go "that the plaintiff do give security for costs of the defendant Northmore in the action." Costs of motion to be costs in cause. R. McKay, for defendant Northmore. C. J. Holman, for plaintiff.

[On appeal, Falconbridge, J., affirmed the above order.]

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RANDALL v. REID.

[MR. CARTWRIGHT, Official Referee, 2ND  
DECEMBER.

*Practice of adding father of infant plaintiff as a party in negligence action—No necessity for.*

Judgment on application by infant plaintiff to add his father as a party plaintiff. Held, that it is not necessary to have father added as a party plaintiff; that infant plaintiff can recover all the damages he is entitled to by reason of the alleged negligence of defendants, and that in any case, father is debarred from bringing an action under Workmen's Compensation Act, owing to lapse of more than six months since accident occurred. Motion dismissed. Costs to defendants in any event. J. Hales, for plaintiff. W. H. Hodges, for defendants.

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