

MACDONELL v. TEMISKAMING AND NORTHERN ONTARIO RAILWAY
COMMISSION—MASTER IN CHAMBERS—MARCH 18.

Particulars—Statement of Claim—Dates.]—Motion by the defendants for better particulars of paragraphs 4, 8, and 9 of the statement of claim. Order made for better particulars of paragraph 4 to supply the omission of dates. Reference to *Millbank v. Millbank*, [1900] 1 Ch. 385. Motion dismissed as to paragraphs 8 and 9. Costs in the cause. Strachan Johnston, for the defendants. A. M. Stewart, for the plaintiff.

DEVANEY v. WORLD NEWSPAPER CO.—MASTER IN CHAMBERS—
MARCH 19.

Pleading—Conspiracy—Defamation—Joinder of Defendants and Causes of Action—Particulars.]—After the decision on the previous motion, noted ante 454, affirmed on appeal, ante 472, the statement of claim was amended so as to allege mainly a joint conspiracy to defame the plaintiff, and that, as part thereof, the individual defendants spoke the words complained of, and further, in pursuance of said conspiracy and as part thereof, the defendants wrote and published and caused to be written and published the libel complained of. In paragraph 7 it was alleged that by reason of the conspiracy complained of and of the wrongful acts of the defendants as part of the conspiracy and done pursuant thereto, and by reason of the libel complained of in paragraph 6, the plaintiff had been injured in her reputation, &c. The plaintiff claimed for the conspiracy and overt acts connected with and done as part thereof \$1,500 damages, and for the libel complained of in paragraph 6, \$1,500 damages. All the defendants now moved against this as in the former motion of the defendant Fasken. Held, as far as the motion was based on improper joinder of defendants and causes of action, that it could not succeed: *Walters v. Green*, [1899] 2 Ch. 696, 701. This does not conflict with *Pope v. Hawtrey*, 85 L. T. R. 263. Reference to *Evans v. Jaffray*, 1 O. L. R. 621. The concluding words of paragraph 4, alleging “many other slanders and libels, particulars and details of which are unknown to the plaintiff,” are objectionable; they must be struck out or particulars of them must be given. They can only be used, if at all, as part of the acts proving the conspiracy or done in pursuance of it. In other respects motion dismissed. Costs in the cause. H. E. Rose, K.C., for the defendant Fasken. D. Urquhart, for the defendant Urquhart. H. R. Frost, for the defendant Keough. K. F. Mackenzie, for the defendant company. W. N. Ferguson, K.C., for the plaintiff.