

dismissing an application for an order for representation of the association. An appeal from this order is pending.

W. N. Tilley, for plaintiffs.

J. G. O'Donoghue, for defendants.

MACLENNAN, J., held, having regard to the consent order of 6th March, and to the fact that an appeal is pending from the order of 5th October, that the plaintiffs should have leave to appeal and the time extended for appealing from the order of 4th March.

---

CARTWRIGHT, MASTER.

OCTOBER 13TH, 1903.

CHAMBERS.

THORP v. WALKERTON BINDER TWINE CO.

*Venue — Change of — County Court Action — Witnesses — Expense.*

Motion by defendants to change venue in a County Court action from Guelph to Walkerton. The action was in respect of certain shares in the defendant company, whose office was at Walkerton. The plaintiff did not require any witnesses except himself. The defendants said they would require 4 or 5 who were at Walkerton.

G. H. Kilmer, for defendants.

J. J. Drew, Guelph, for plaintiff.

THE MASTER held that justice would be done by making the change asked for, upon defendants undertaking to pay all the additional expense properly arising thereupon to plaintiff. *Drew v. Fort William*, 2 O. W. R. 467, referred to. Order accordingly. Costs in the cause.

---

STREET, J.

OCTOBER 13TH, 1903.

CHAMBERS.

SEXTON v. PEER.

*Parties—Mortgage Action—Death of Plaintiff—Assignment of Portion of Interest—Revivor—Executors—Assignee—Reference—Rules 659, 753.*

Motion by executors of William Sexton, the original plaintiff in this mortgage action, to set aside an order of the local registrar at Hamilton of 11th September, 1903, allowing one Harold L. Lazier to continue the proceedings in his own name.

J. H. Spence, for applicants.

W. E. Middleton, for Lazier.