in value (as being farthest from the highway and having no access thereto), excluding the fact that plaintiffs may want that portion for their works. The last mentioned fact does not seem to furnish a sufficient reason for ordering a sale of the whole property. Hobson v. Sherwood, 4 Beav. 184, referred to. Appeal dismissed with costs.

CARTWRIGHT, MASTER. OCTOBER 2ND, 1903.

CHAMBERS.

McDONALD v. PARK.

Venue—Change of—Substantial Grounds—Preponderance of Convenience—Cause of Action—Residence of Parties— Witnesses—Expense—Increased Security for Costs.

Motion by defendants to change the venue from Toronto to Chatham.

The action was brought to set aside a will, dated 27th November, 1902, and establish a prior will of the plaintiff's mother, who died in the city of Chatham on the 16th December, 1902. The plaintiff and one defendant, Frederick McDonald, resided in the State of Wisconsin. The other defendants all resided at Chatham, except one, the plaintiff's father, as to whose place of residence there was a dispute.

W. E. Middleton, for defendants other than George McDonald and infants.

C. A. Moss, for defendant George McDonald.

Casey Wood, for plaintiff.

THE MASTER, after a reference to Campbell v. Doherty, 18 P. R. at p. 245, proceeded:—The main object of this action is to set aside the probate of the second will. This must be done and finally determined before any attempt to establish the earlier will: see R. S. O. 1897 ch. 59, sec. 21.

It would seem reasonably certain that most, if not all, of the material facts bearing on this first question will be proved, if capable of proof, by the evidence of witnesses in Chatham or the neighbourhood, such as the 5 or 6 persons who were in attendance on the testatrix on 27th November, 1902, and present at the execution of her will made on that day.

The defendant, Mrs. Park, states in her depositions that, besides these, there are many other persons to be called for the defence who are residents of Chatham, and states the class of evidence they are expected to give. The plaintiff's