

Here, no doubt, it can be said that in all probability no resident of Brantford would appear on the jury after the defendants had exhausted their right to challenge peremptorily. This argument seemed entitled to prevail in the cases above mentioned in 2 O. W. R.

But the condition of affairs is different here. The hostility prevalent in Brantford might not improbably affect the minds of jurors from other parts of the county, either through the newspapers, inflammatory articles (8 in all between 29th November and 24th January), or general conversation on a topic which has acquired such an undesirable notoriety as this has done. As the issue here is one of conflict between the plaintiff and defendant as to what led to the acts complained of, it is not possible to require the plaintiff to agree to have a trial without a jury as was done in some of the previous cases. It is desired by both sides to have a speedy trial. Fortunately this can be had at Simcoe on the 15th inst. This is sufficiently remote to be fair to both sides, and is on that account to be preferred to Woodstock. There can be no fear of any such scenes as are detailed in the report of the *Ponton Case, supra*, pp. 430, 431, 432, being repeated there. The mere possibility of such an outrage is to be guarded against. As the plaintiff is admittedly without means the defendants must supply such sum as is necessary to take her witnesses to Simcoe. At present what that will be has not been stated. This will be accounted for by the plaintiff if successful, on the final taxation.

The costs of the motion will be in the cause.

The notice of trial already given can stand for Simcoe, and the case be entered there without further payment, if it has already been entered at Brantford.