

Under all the facts of the case, plaintiff's solicitor might not unreasonably have supposed that defendant would certainly not do anything to speed the cause. . . .

Plaintiff is to have leave to amend his writ as desired, and is to file and serve his statement of claim within seven days. . . . The costs of the motion will be to defendant in the cause, and fixed at \$4. If the parties, or either of them, really desire a speedy trial of the action, I will consider on the settling of the order what arrangement can be made for that purpose.

CARTWRIGHT, MASTER.

MAY 18TH, 1903.

CHAMBERS.

BAKER v. WELDON.

Venue—Motion to Change—County Court—Preponderance of Convenience—Expense—Fair Trial—Prejudice in County—Undertaking to Dispense with Jury—Affidavit—Solicitor—Scandal—Irrelevancy—Costs.

Motion by defendants in this and four other actions in the County Court of Huron to change the venue from Goderich to Toronto.

George Ross, for defendants.

W. Proudfoot, K.C., for plaintiffs.

THE MASTER.—These actions all arise out of a matter which has been frequently before the Courts during the last 6 or 7 years. This was the plan devised by one Daly. He induced farmers throughout the county to sign agreements whereby, in consideration of his advertising their farms in a certain way, they gave him a lien on such farms to the amount of 2 per cent. of their stated value. Many, or perhaps all, of these agreements, have been assigned, and, as in the present cases, are now held by the assignees. . . . The plaintiffs in these five actions have taken proceedings to have the agreements set aside on the ground of fraud and misrepresentation.

The present motion, therefore, presents for consideration some points of difference from the ordinary case. In all these present cases the defendants counterclaim for the 2 per cent. and for interest thereon, and also to have their alleged liens enforced by sale or foreclosure. It will, therefore, be convenient to consider the motion as if the position of the parties was exactly reversed, and then see if sufficient grounds