

the application for change of venue in *Ludlow v. The Board of Hospital Trustees of the City of London* (ee), counsel for the appellant urged as a reason for changing the place of the trial to London the fact that the cause of action arose there. Armour, C.J., however, stated that the practice as defined by the decisions above referred to, was too well established for him to interfere; and dismissed the appeal with costs to the respondent in any event.

So much for the practice in High Court actions. Notwithstanding present Con. R. 1219 (similar for our purposes to former Con. R. 1260) providing that the place of trial in all actions brought in a County Court may be changed according to the practice in force in the High Court, a uniform practice was long followed in dealing with the question of venue in County Court cases of attaching special importance to the question of the place where the cause of action arose on the ground that the policy of the law in County Court matters was to make each county bear its own part in the expense of administering justice. Mr. Cartwright, sitting for the Master-in-Chambers, noted in his judgment in *Noble v. Stoutenberg* (f) that in the County Court cases of *Mulligan v. Sills*, 13 P.R. 350, and *McAllister v. Cole*, 16 P.R. 105, the venue was according to the place where the cause of action arose, and deduced therefrom the principle that the venue in County Court actions should be laid in the county where the cause of action arose. The same principle was followed in the subsequent action of *Cunningham v. Bell Organ and Piano Co.* (g). But in allowing an appeal from the order of the Master-in-Chambers, changing the place of trial in the later County Court case of *Hicks v. Mills*, Street, J., held (h) that the same practice should be applied on motions for change of venue in both High Court and County Court actions. Street, J.'s order was subsequently affirmed by the Chancery Divisional Court (i).

It is submitted that in determining the place which is most convenient for the trial of either a High Court or a County Court

---

(ee) Jan. 7th, 1899, (unreported).

(f) Judgment dated 17th Sept., 1895 (unreported).

(g) Judgment dated Sept., 1895 (unreported).

(h) Judgment dated 4th March, 1898 (unreported).

(i) Judgment dated 12th May, 1898 (unreported).