

ALLEN V. TURK—LATCHFORD, J.—OCT. 11.

*Venue—Change—Fair Trial—Prejudice.*] — Appeal by the plaintiff from an order of the Master in Chambers, ante 43, changing the venue from Owen Sound to Toronto. LATCHFORD, J., dismissed the appeal with costs to the defendant in any event. H. S. White, for the plaintiff. Grayson Smith, for the defendant.

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MOOREHOUSE V. PERRY—RIDDELL, J.—OCT. 12.

*Money Lent—Conflict of Testimony—Credibility of Parties—Finding of Fact.*]—Action for money lent. Riddell, J., said that the case was purely one of fact, and must be disposed of upon the credibility of the parties, with such assistance as could be derived from the evidence of two solicitors who were called as witnesses, and from the documents; and from his (the learned Judge's) observation of the witnesses in the box, their conduct and demeanour, he was of opinion that the evidence of the plaintiff was to be accepted rather than that of the defendant. The facts were found in favour of the plaintiff and judgment was given upon his claim for \$2,780.23, and dismissing the defendant's counterclaim, both with costs. R. McKay, for the plaintiff. I. F. Hellmuth, K.C., and A. E. Knox, for the defendant.