cases, is in conflict only with the Queensland decision in King v. Victoria Fire Insurance Co. It must, in my opinion, prevail.

There will therefore be judgment for plaintiff for $100 for his personal injuries, and dismissing the claim for loss of the horse. As plaintiff apparently brought his action for both causes in good faith, and with a desire to avoid multiplicity of suits, I exercise my discretion as to costs in his favour to the extent of awarding him costs on the County Court scale without set-off.

CARTWRIGHT, MASTER. OCTOBER 27TH, 1906.

CHAMBERS.

McDOUGALL v. MEIR.

Venue—Change—Convenience—Delay—Counterclaim.

Motion by defendant to change venue from Owen Sound to Sault Ste. Marie.

H. R. Frost, for defendant.

W. H. Blake, K.C., for plaintiff.

THE MASTER:—The action is ready to go to trial at the non-jury sittings at Owen Sound on 5th November next. If the venue were changed, there would be a delay of from 6 to 7 months, as the sittings at Sault Ste. Marie are usually held in June. This would be a sufficient ground for refusing to make the change: Servos v. Servos, 11 P. R. 135.

The motion is based on the counterclaim, which defendant says will necessitate "over 20 witnesses" who reside at the Sault. I am not impressed with this, in view of the uncontradicted affidavit of plaintiff, and the admission by defendant of a liability of $1,100 in January last, when nothing was said of the counterclaim.

Defendant invoked the decision in Farmer v. Kuntz, 7 O. W. R. 829, affirmed 8 O. W. R. 4. There the facts were entirely different, as almost all the witnesses on both