

fusing to grant judgment for plaintiff for \$1,500, or to direct the delivery of particulars of the defence to that claim.

G. T. Walsh, for plaintiff.

E. Sugarman, for defendant.

HON. SIR GLENHOLME FALCONBRIDGE, C.J.K.B.:—Paragraph 2 of the statement of defence is ill pleaded if it is intended as a defence to the \$1,500 deposit as well as to the costs and expenses. Defendant has leave to amend within one week so as to include the \$1,500—otherwise judgment for plaintiff for \$1,500.

Costs of this motion to be costs to plaintiff in any event of the action.

HON. SIR G. FALCONBRIDGE, C.J.K.B. OCT. 11TH, 1913.

BERLIN LION BREWERY CO. v. MACKIE.

5 O. W. N. 107.

Venue—Change Berlin to Belleville—Motion for—Convenience—Undertaking of Plaintiffs to Pay Additional Costs of Trial at Place Chosen by them.

Appeal by the plaintiffs from an order of MR. HOLMSTED, Senior Registrar, sitting for the Master in Chambers, changing the place of trial from Berlin to Belleville.

W. D. Gregory, for plaintiff.

Eric N. Armour, for defendants.

HON. SIR GLENHOLME FALCONBRIDGE, C.J.K.B.:—In the present state of the practice there is no sufficient preponderance of convenience or expense or other valid reason for changing the place of trial from Berlin to Belleville.

The plaintiff undertaking to pay the additional costs, if any, incurred by defendant by reason of trial at Berlin, the Registrar's order will be reversed and the place of trial changed back to Berlin. Costs to be costs in the cause.