affidavit that it will be a cause of great inconvenience to defendants to be brought from Hamilton here, as their officers and servants would be necessary witnesses. This might result in serious public inconvenience, and even danger. Any argument against the motion founded on delay is met by the fact of negotiations for settlement . . . And, as the Hamilton assizes commence on 5th March, there is no objection on the score of delay of the trial. This is especially so when the action has hitherto proceeded in such a leisurely way.

In all the circumstances, I think defendants are entitled to have the trial at Hamilton. This I take to be the effect of the Leadley case (supra), as applied to the facts of this case, set out in Mr. Hawkins's affidavit filed in support of this motion, and not controverted in its statements as to witnesses.

The costs as usual will be in the cause.

The greater advantage of a trial out of Toronto as to delay and inconvenience is very forcibly set out by Meredith, J., in the Leadley case, at pp. 558 and 559 of 9 O. L. R.

MABEE, J.　　　　　　　　　　　　　　JANUARY 19TH, 1906.

CHAMBERS.

RE HUNTER, MOORE v. HUNTER.

Administration Order—Summary Application—Status of Applicant—Assignee for Creditors of Person Interested under Will—Issue as to Lease Made by Executors—Direction to Bring Action.

Application by Francis D. Moore, assignee for the benefit of creditors of Garner Hunter the younger, for an administration order.

W. R. Smyth, for the applicant.

C. A. Moss, for the executors.

MABEE, J.:—Counsel for the applicant, the assignee for the benefit of creditors of Garner Hunter the younger, alleged that one of the principal objects he had in view in obtaining an administration order was to attack the lease of the property given by the executors Hunter and Garlick to the executor Hunter in September last, for a term of 10 years. I suppose the applicant, as the general assignee under the statute, has the same status upon this application as the assignor would have had if the motion was made by him, but I am of opinion that this is not a case for administration upon