trifling difference of expense. See Holmested and Langton's Judicature Act, 3rd ed., pp. 738, 739. But, even when the application is by the plaintiff, and notwithstanding the plaintiff's right to name the place, having named it, the onus is upon him to shew reasons for change, if he seeks a change. The reason here is not one of balance of convenience, not as to fair trial, but is solely for the benefit of the plaintiff by speeding the trial. The fact that, if there is no change, the trial will be delayed is a circumstance to be considered—not sufficient of itself to warrant the change. The convenience of witnesses or of counsel is not a sufficient reason for a change. The learned Judge said that he was bound by the authorities to give effect to the objection that the onus upon the plaintiff had not been satisfied. It might well be supposed that, in the present case, it could not be a matter of moment to the defendants to delay the plaintiff in getting to trial. Whether the plaintiff had a good cause of action or not, it was of considerable importance to him to have his claim disposed of without unnecessary delay; and it was to be regretted that the defendants did not see their way to consenting to a change that apparently would do no more than expedite the trial. Appeal dismissed; costs in the cause to the defendants. E. C. Cattanach, for the plaintiff. Featherston Aylesworth, for the defendants.

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STANZEL v. J. I. CASE THRESHING MACHINE CO.—BRITTON, J., IN CHAMBERS—MARCH 26.

*Jury Notice—Motion to Strike out—Con. Rule* 1322—*Claim and Counterclaim—Proper Case for Trial without a Jury.*]—Motion by the defendants, under Con. Rule 1322, to strike out a jury notice filed and served by the plaintiffs. BRITTON, J., said that, upon reading the pleadings, it appeared perfectly plain that the issues tendered by the plaintiffs, and by the defendants in their defence and counterclaim, were such as should be tried by a Judge, and not by a jury. The action was a complicated one involving important questions of law and fact. It would be very inconvenient, to say the least of it, to have the plaintiffs' claim tried by a jury and the defendants' counterclaim tried by a Judge—and the counterclaim was one that, in the learned Judge's opinion, a Judge would not submit to a jury. He agreed with the decision in Bissett v. Knights of the Maccabees, 3 O.W.N. 1280. Order made striking out the jury notice and directing that the action be tried without a jury. Costs in the cause, unless otherwise ordered by the trial Judge. J. D. Falconbridge, for the defendants. Grayson Smith, for the plaintiffs.