the separate engagements of the defendants stated material facts which were relevant to the conspiracy charged and in respect of which the plaintiff company claimed damages. If the plaintiff company were content to limit the claim to the alleged conspiracy, there could be no possible objection to the statement of claim as it stood—as was conceded on the argument. Unless the conspiracy is proved, the action must fail. But the plaintiff company were entitled to have the case laid before the Court in the shape which their advisers thought most beneficial, unless there was something in the Rules which prevented this being done. Here there did not seem to be any bar of that kind. Paragraph 12 concluded with these words: "By reason of the premises the plaintiff has sustained great loss and damages and has been put to heavy charges and expenses." The judgment in Walters v. Green, [1897] 2 Ch. 696, at p. 791, seemed to shew that the whole matter must be left to the trial Judge when the evidence is given on both sides. This was allowed in Devaney v. World Newspaper Co., 1 O.W.N. 547, in reliance on Walters v. Green, supra—which went very much further than the present statement of claim. Here the plaintiff company alleged a conspiracy to commit a breach of the several agreements, and those breaches were alleged as acts done as part of the conspiracy and in pursuance thereof—and, very likely, were relied on by the plaintiff company as being the most cogent evidence of the conspiracy. In view of the authorities, the motion must be dismissed with costs to the plaintiff company in the cause. J. G. O'Donoughue, for the defendants. George Wilkie, for the plaintiffs.

CHWAYKA v. CANADIAN BRIDGE CO.—BRITTON, J., IN CHAMBERS—MARCH 26.

Venue—Application by Plaintiff to Change—Discretion—Onus—Speedy Trial.]—Appeal by the plaintiff from the order of the Master in Chambers, ante 980, dismissing the application of the plaintiff to change the place of trial from that named by the plaintiff to either Sarnia or Chatham. The learned Judge said that the matter of changing the place of trial from that named by the plaintiff is largely in the discretion of the Court or a Judge; but the exercise of that discretion is, in almost every case, subject to this, "Where can the action most conveniently be tried?" And the onus is upon the applicant to shew the preponderance of convenience. Generally the application is by the defendant, and the change will not be made on account of a