

trial, but is solely for the benefit of the plaintiff by speeding the trial.

The fact that, if 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 sufficient reason for change. I am bound under the authorities to give effect to the objection that the onus upon the plaintiff has not been satisfied. One would suppose that in the present case, it cannot be a matter of moment to the defendants to delay the plaintiff getting to trial. Whether the plaintiff has a good cause of action or not, it is of considerable importance to him to have his claim disposed of without unnecessary delay and I regret that defendants do not see their way to consenting to a change that apparently would do no more than expedite the trial. The appeal will be dismissed. Costs in the cause to defendants.

MASTER IN CHAMBERS.

APRIL 3RD, 1913.

BLACKIE v. SENECA SUPERIOR SILVER MINES.

4 O. W. N. 1039.

*Venue—Motion to Change — Convenience—Witnesses — Books of Company—Terms.*

MASTER-IN-CHAMBERS changed the venue from North Bay to Toronto where the preponderance of convenience was very manifest, upon terms as to expedition of the trial.

Costs in cause.

Motion by defendants to change venue from North Bay to Toronto.

Featherston Aylesworth, for defendant's motion.

H. Howitt, for the plaintiff, contra.

CARTWRIGHT, K.C., MASTER:—This is an action to recover \$6,660 as commission of 5 per cent. on sale of 844,429 shares of the company's stock at 17½ a share—being \$7,388.75 less \$728.75 paid on account. The statement of defence alleges plaintiff was only to receive commission for sales actually made and stock being allotted therein. Also that the whole shares of the company are only 500,000, and that these were so disposed of that in any case plaintiff could not have had for sale more than 84,429 shares.

No jury notice has been served and it may well be that the case would not be heard at the sittings at North Bay which begin on the 14th inst. The motion is supported by