

The
Ontario Weekly Notes

Vol. IV.

TORONTO, JULY 4, 1913.

No. 42

APPELLATE DIVISION.

JUNE 23RD, 1913.

*GOULD v. FERGUSON.

Solicitor—Bill of “Costs, Charges, and Disbursements”—Solicitors Act, sec. 34—Amount for each Service not Stated—Action for Amount of Bill—Charges for Conveyancing—Taxation—Effect of Judgment for Part of Bill.

Appeal by the defendant from the judgment of the District Court of the District of Nipissing in favour of the plaintiff, a solicitor, in an action to recover the amount of a bill of costs delivered by the plaintiff to the defendant for services rendered by the plaintiff to the defendant.

The appeal was heard by MULLOCK, C.J. EX., CLUTE, RIDDELL, and SUTHERLAND, JJ.

R. McKay, K.C., for the defendant.

A. G. Browning, for the plaintiff.

The judgment of the Court was delivered by CLUTE, J.:—The retainer is not disputed, nor is it disputed that an itemised statement of the work done and disbursements incurred was rendered more than one month prior to the commencement of the action.

The defence is, that, although an itemised bill of the services was rendered, the amount for each service is not stated, but a lump sum charged.

Upon the trial the Court declared that a proper bill had been delivered, and referred the taxation thereof to the clerk of the Court, reserving further directions and costs.

*To be reported in the Ontario Law Reports.