## Costs Generally-Continued

In discretion of court, 62, 63

Of issues, 63

Of action tried without jury, 64

On quashing conviction, 65

Out of estate, 62

Of setting down, 69 Preparing for trial costs of, 62

Protection of justices as to, 59

Refusal of, in criminal appeals, 59

Solicitor and client costs, 61, 210, 211

Where action tried by jury, 62, 63

Where costs to follow event, 62, 63

"Costs of the Cause" (See Costs and see Taxation)

"Costs of the Day" (See Costs and see Taxation)

#### D.

#### Debtors

Costs when payable by plaintiff, 1 Costs where defendant not an absconding, 1 Examination of judgment, 76

#### Defendants

Appearing severally by one solicitor, 77

Costs between themselves, 76

Improperly severing, 77

Severing defence, 76

Indemnified, 186

## Delivery of Bill of Costs (See Taxation)

# Disallowing Costs (See Unnecessary Proceedings)

Of unnecessary proceedings, 78

Of unnecessary appearance, 79

## Disbursements (See Witnesses)

Affidavit of, 12

Requisites of, 12

As to maps, etc., 80 Form of (See Appendix of Forms)

False affidavits of, 79

For plans on maps, 80

In alimony actions, 14

# Tariff of (See Tariffs) Discontinuance

How costs should be taxed, 80

Costs of, 81

## Discretion as to Costs (See Costs)

Costs follow event, 25, 62, 63, 64, 81, 83, 84

Meaning of, 85

Of judge, 23, 24, 30, 64, 82, 83, 85, 87

Of taxing officer, 21, 23, 36, 81, 84, 88, 239, 240, 247, 250,

253, 254

In jury cases, 86

Judge cannot delegate, 85 Judge can impose terms, 85

Number of witnesses, etc., 86

Reference to judge, 86

Wrongful deprival of costs, 82

COSTS-31