

ence, it will be to the Local Master at Owen Sound. Costs of the reference and further directions will be reserved. The judgment will be without prejudice to the rights of Creeper & Griffin Limited against the Asbestos company. W. H. Wright, for the plaintiffs. H. E. Rose, K.C., and J. W. Pickup, for the defendants the Asbestos Manufacturing Company Limited. W. S. Middlebro, K.C., for the defendants Creeper & Griffin Limited.

RYMAL V. MCGILL—LENNOX, J.—FEB. 11.

Partnership—Dissolution by Death of Partner—Account—Reference—Winding-up—Costs.]—Action to recover \$2,482, alleged to be the share of the plaintiff as a partner in the Mutual Stationery Company; for a declaration that the partnership was dissolved on the 5th April, 1914, by the death of W. B. Newsome; for an injunction restraining the defendants from carrying on the business and distributing the partnership assets; and for an accounting and winding-up. The learned Judge said that the partnership between the deceased William Baker Newsome and the plaintiff was not dissolved in Newsome's lifetime, as contended for by the defendants, but continued until his death, and was dissolved by his death on the 5th April, 1914. Judgment declaring this accordingly, and directing a reference to the Master in Ordinary at Toronto to take an account of the partnership assets, including any profits made by the defendants out of the business since the 5th April, and for winding-up the partnership affairs, in the usual terms. The plaintiff was entitled to costs out of the share of the deceased and against his estate generally down to the trial. L. E. Awrey and H. B. Daw, for the plaintiff. G. Grant, for the defendants.

RE GOLDENBERG—RIDDELL, J., IN CHAMBERS—FEB. 12.

Costs—Taxed Costs in Lieu of Commission—Administration Proceeding—Rule 653.]—In a proceeding for the administration of the estate of Leon Goldenberg, deceased, the solicitor for the applicant, having the conduct of the proceeding, moved for an order for payment out of the estate of taxed costs in lieu of the commission allowed by Rule 653. RIDDELL, J., said that, in the very particular circumstances of the case, the solicitor might tax his costs and be paid the same instead of commission under the Rule. C. W. Plaxton, for the solicitor.