

# The Ontario Weekly Notes

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VOL. XIX. TORONTO, DECEMBER 17, 1920. No. 14

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## APPELLATE DIVISION.

SECOND DIVISIONAL COURT.

DECEMBER 6TH, 1920.

### RE SOLICITORS.

*Solicitors—Bill of Costs—Retainer—Findings of Taxing Officer—  
Evidence—Taxation—Costs of Appeals.*

An appeal by Brownlee and others from an order of LOGIE, J., 18 O.W.N. 163, upon appeal from the taxation of a bill of costs of the solicitors.

The appeal was heard by MULOCK, C.J. Ex., RIDDELL and SUTHERLAND, JJ., and FERGUSON, J.A.

T. J. Agar, for the appellants.

Grayson Smith, for the solicitors, respondents.

THE COURT varied the order of LOGIE, J., by declaring that the solicitors were entitled against the appellants to costs of the proceeding in respect of which the bill was rendered down to and including a certain motion in that proceeding in April, 1918, but to no subsequent costs. Reference back to the Taxing Officer with this declaration. No costs of this appeal nor of the appeal to LOGIE, J.

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FIRST DIVISIONAL COURT.

DECEMBER 10TH, 1920.

### \*ELLIS v. HAMILTON STREET R.W. CO.

*Street Railway—Injury to Passenger Alighting in Highway—Street Car Stopped at Point between Stopping Places at Street Intersections at Request of Passenger—Injury to Passenger by Passing Motor Vehicle—Municipal By-Law—Motor Vehicles Act, sec. 15—Negligence—Findings of Jury—Absence of Evidence to Support.*

\*This case and all others so marked to be reported in the Ontario Law Reports.