INDEX.

Taxing Officer (See Taxation)—Continued Power of, 22, 64, 132, 217, 227, 246 Powers of, on review, 160

Review of taxation by, 161

Set off of costs, power of, 183, 184

Severing defences, duty of, 186, 218 Taxing without order, 51

Witness fees, duty of, as to, 272, 273, 279, 282

Tender

After action brought, 257

Before action brought, 257

On serving petition, 256

Of costs, 257

\$5.00 may be tendered in certain cases, 257 Effect of such tender, 256, 257

On serving petition, 256

Term Fees

When taxable, 258

Third Party

Court has complete jurisdiction over costs, 258, 262, 263

Defendant may be ordered to pay costs of, 258, 262

May be allowed costs, 258

May be ordered to pay costs, 262

Plaintiff may be ordered to pay costs of, 258, 262 When not entitled to costs, 258, 261, 262, 263

Where action appealed, not entitled to costs, 262, 263

Trial

Absence of judge, 240

Abortive, 83, 240

Adjournment of, 5, 260

Costs of new trial, 259

Costs of postponing trial, 66 Costs of the day, 67

Misdirection of judge at, 259

Where jury disagree, 259 Where plaintiff wrongly nonsuited, 140

Unnecessary Proceedings

Action instead of motion, 268

Costs occasioned by, 264

Costs of printing unnecessary material, 268

Duty of taxing officer, 225, 234, 264, 265, 267

Executor bringing action unnecesarily, 267

In administration actions, 268

Negligence of solicitor, 267 Negligence, 264

Overcaution through, 264

Mistake, 264

Motion to take pleadings off file, 265

Multiplication of orders, 265

Motion made to court instead of chamber, 267

Partition actions in, 267

Unnecessary matter in writ, etc., 264

Costs disallowed, 224, 234, 264

Unnecessary appearances on motion, 224

Vendor and Purchaser

Rescinding contract of sale, costs of, 269 Security for costs, 270