

manual delivery is not feasible, words of present gift accompanied by change of possession might constitute delivery.

Tellier v. Dujardin, 16 M.R. 423, and *Kilpin v. Ratley*, [1892] 1 Q.B. 583, distinguished.

Macneill, for plaintiff. *Fullerton and Foley*, for defendant.

Full Court.]

[Feb. 20.

BROWN v. TELEGRAM PRINTING COMPANY.

Pleading—When action at issue—Amendment of pleadings—Application for special jury.

When the statement of defence has been amended, the action is not at issue, under Rule 301 of the King's Bench Act, until the expiration of ten days from the delivery of the amended statement of defence and an application for a special jury may, under section 60 of the Jury Act, be made within six days after the expiration of such ten days.

A. B. Hudson, for plaintiff. *F. M. Burbidge*, for defendants.

KING'S BENCH.

Robson, J.]

[Feb. 14.

RE PHILLIPPS & WHITLA, SOLICITORS.

Solicitor and client—Taxation of costs—Appeal from certificate of taxing officer—Bringing in objections.

Rule 682 of the King's Bench Act should be read along with par. (d) of Rule 965, and is the rule to be applied in case of an appeal from the certificate of the taxation of costs between solicitor and client, and not Rule 684 which applies only to the taxation of costs between party and party, and therefore the carrying in of written objections to items of the bill before the taxing officer as provided for in Rule 968 and the officers reviewing the items so objected to under Rule 969, are not necessary preliminaries to such an appeal, although these two rules apply to taxations between solicitor and client as well as between party and party.

Re Robinson, 17 P.R. 137, and *Re Mowat*, 17 P.R. 180, referred to.

A. B. Hudson, for solicitors. *Jameson*, for client.