

the report of a local officer upon taxation of a bill of costs of the solicitors for services in and relating to an action brought on behalf of the client. The motion was heard in the Weekly Court at Toronto. FALCONBRIDGE, C.J.K.B., in a written judgment, said that, in all the circumstances, the agreement by which the solicitors were to retain \$1,000 for their fees was an eminently fair one—that money was well-earned—and Crawford was a very ungrateful and extremely ill-advised man to seek to disturb the arrangement. With some hesitation (*Re Totten* (1880), 8 P.R. 385, being regarded as still law), the learned Chief Justice disallowed item 1 of the bill—\$50—as being covered by, and included in the first item of Tariff A—“For the institution of an action, \$20;” and also, on the same principle, item 2 objected to—“Fee to Mr. ——— on consultation, \$20.” As to all the other items complained of, the Master had, under the “Note” on p. 208 of the Rules of 1913, discretion to make additional allowances; and, on review thereof, his exercise of such discretion should be confirmed and approved. In the result there should be a further deduction of \$70 from the amount taxed by the Master. This was very unsubstantial, and the client must pay the costs of the appeal. There should also be a substantive order for payment by the client of the costs of the reference. Daniel O’Connell, for the client. H. S. White, for the solicitors.

HOLINESS MOVEMENT CHURCH IN CANADA v. HORNER—
SUTHERLAND, J.—JULY 19.

Church—Deposition of Bishop by Conference—Bishop Continuing to Act—Injunction till Trial of Action to Determine Rights.]
—Motion by the plaintiffs for an interim injunction restraining the defendant R. C. Horner from acting as bishop of the plaintiff church. The motion was heard in the Weekly Court at Toronto. SUTHERLAND, J., delivering judgment at the conclusion of the hearing, said that he had no doubt that the defendant Horner should be enjoined until the trial. He had been deposed by the General Conference of the church, his successor had been elected, and was acting as bishop, and must be treated as such. If the defendant Horner wished to contest the action of the Conference, he should have taken proceedings with that view, instead of continuing to act as if he were still bishop and had not been deposed. It must be assumed for the present that the Conference proceeded regularly under the constitution. Injunction granted until the trial with costs in the cause to the plaintiffs, unless otherwise ordered by the trial Judge. W. N. Tilley, K.C., for the plaintiffs. G. F. Henderson, K.C., for the defendant Horner.