

any appeal or appeals therefrom to the Court of Appeal, which may be taxed and allowed to the successful party in any action or proceeding, as against any other party thereto, up to and inclusive of the trial or final disposition of any such action or proceeding in the Court of King's Bench, shall, subject to the proviso at the end of the section (giving the trial judge a discretion to increase the amount), be limited to the sum of three hundred dollars.

Held, that a motion for an interim injunction is an interlocutory motion or application, and the defendants' costs could not be taxed against the plaintiffs at more than \$300, exclusive of disbursements.

Sec. 2 of the same Act, subject to a proviso giving a discretion to the Court of Appeal to increase the amount, provides that no greater sum than one hundred dollars, exclusive of disbursements, shall be taxed and allowed for costs of appeal from the final disposition of an action or proceeding in the Court of King's Bench, to the successful party in any appeal to the Court of Appeal as against any other party thereto.

Held, that the defendants appeal came within s. 1 and not within s. 2 and they could not be allowed the \$100 provided for by s. 2 in addition to the \$300 limited by s. 1.

Mulock, K.C., for plaintiffs. *Minty*, for defendants.

KING'S BENCH.

Mathers, J.]

[June 29.]

RE CROWN MUTUAL HAIL INSURANCE CO.

Company—Costs of procuring Act of incorporation—Liability of company for—Appropriation of payments—Marshalling of assets.

Application by the Attorney-General, at whose instance the company was being wound up pursuant to ss. 42-44 of the Act incorporating the company, 3-4 Edw. VII. c. 69, for a direction to the receivers to disallow, as a claim against the company, a solicitor's bill of costs for fees, charges and disbursements. The bill covered charges for drawing the Act and promoting its passage through the legislature, for procuring the passage