

others, the provisions as to costs in the Revised Statutes of Ontario, pages 681-2-3-4-5 and 6, and also the provisions as to costs in slander, double and treble costs for unlawful distress, and all other Acts then in force, unless there be some direct provision in the Judicature Act altering or interfering with them, and Rule 428 will not do so unless, of course, it is acted on by the Judge trying the case making some special order as to costs under this Rule.

Certificate for
County Court
costs.

When a judge certifies or orders County Court costs to be allowed a plaintiff, this entitles the plaintiff to County Court costs without being liable to set off of excess of costs between High Court and County Court costs. To entitle Defendant to set-off such excess of costs, the right to so set-off must be granted by the certificate or order.

I was asked whether a claim for the following items could have been brought in the Division Court:—

Goods, per invoice	\$16 50
Cash	0 60
Bill of Exchange	120 19
Bill of Exchange	120 08
	<hr/>
	257 37
Paid	120 10
	<hr/>
	137 27

(Interest from July 10th, 1882, till judgment).

I answered that the above was a case which could have been brought in the Division Court, and that only Division Court costs could be allowed.

Rule 513.
Discovery.

Rule 515.
Inferior jurisdiction costs.

This Rule is as to discovery, and explains itself.

This provides as to costs to be allowed in cases which, before the Judicature Act, could have been brought under the Equity jurisdiction of the County Court. The following is the tariff framed under Chancery Rule 553, and referred to in this Rule:—

TARIFF REFERRED TO IN ORDER 553.

Solicitor.

Instructions for suit	\$1 00
Instructions to defend	1 00
Instructions for petition where no bill is filed	1 00
Letter of notice before instituting suit	0 25

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