bought by them, which the plaintiffs claimed was a detriment to them, and a breach of the restrictive covenant which Holmes had given to Du Cane, and which they claimed to be entitled to enforce. Warrington, J., who tried the action, however, held that they had no such right, because there was no evidence of the covenant being given in pursuance of, or to carry out, any building scheme, that the mere registration of the covenant did not have the affect of annexing it to the land, that there was no imposition of the covenant by the common vendor of the plaintiff and defendants in furtherance of any building scheme, and neither party purchased their lots on the footing that the covenant in question was to enure for the benefit of the other lots. He held that the covenant in question was one intended merely for the benefit of Du Cane as owner of the rest of the estate of which the fourteen acres had formed part, which was not enforceable by any one but Du Cane or his representatives.

SOLICITOR—SOLICITOR AND AGENT—AGENT'S BILL OF COSTS—TAXATION—ORDER OF COURSE—SOLICITORS' ACT, 1843 (6-7 VICT. c. 73), s. 37—ATTORNEYS' & SOLICITORS' ACT, 1870—(33-34 VICT. c. 28), ss. 3, 17—(R.S.O. c. 174, s. 35).

In re Wilde (1910) 1 Ch. 100. A country solicitor having employed his London agent to transact certain business for which the latter was entitled to costs, obtained an order of course for the delivery by the agent of his bill of costs. This order the agent contended was irregular because the relation of solicitor and client did not exist between a solicitor and his London agent, and he having refused to deliver his bill pursuant to the order, a motion for an attachment was made against him for contempt, whereupon the agent also moved to discharge the order. Both motions were heard together, and Neville, J., who heard them, decided that although prior to the Solicitors' Act of 1843, there did not appear to have been any power at common law to order taxation of an agent's bill, and it was only ordered in Chancery on the terms of bringing the amount of the bill into court, yet that since the Act a different rule prevailed and that under s. 37 (R.S.O. c. 174, s. 35) the country solicitor was entitled as a "party chargeable" to have a taxation of his agent's bill without any terms being imposed, and the order of course was therefore regular, and the agent was ordered to deliver his bill within 21 days and pay the costs of both motions.