

in equity to set aside a judgment recovered against him by his wife, the co-defendant, as fraudulent and void, the bill was dismissed with costs. In settling the minutes of the decree, the plaintiffs asked to have their judgment obtained after the filing of the bill set-off *pro tanto* against the costs, payable by them to E. D., who had defended separately from his wife. This was opposed by his solicitor on the ground that his costs were unpaid.

*Held*, following *Webb v. McArthur*, 4 Ch. Ch. 63, and *Collett v. Preston*, 15 Beav. 458, that the solicitor's lien could not be interfered with in such a case and the application was refused.

*Semble*, however, that when costs in a particular suit are payable to and by different parties to it, there may be a set-off and no question of the solicitor's lien will be entertained to prevent it. *Thompson v. Didion* . . . . .301

#### **SPECIAL MEETINGS.**

*See* MUNICIPAL LAW, 1, 2.

#### **SPECIFIC PERFORMANCE.**

*See* BANKS AND BANKING, 2.

#### **STATEMENT OF TIME.**

*See* MECHANICS' LIEN.

#### **STATUTES.**

*Assessment Act, R. S. M. c. 101.*

*See* TAX SALES, 1, 2.

*Assignments Act, R. S. M. c. 7, s. 33.*

*See* FRAUDULENT PREFERENCE.

*Bank Act, R. S. C. c. 120, s. 48.*

*See* BANKS AND BANKING, 2.

*Bank Act, 1890, ss. 68, 74, 75.*

*See* WAREHOUSE RECEIPTS.

*Bills of Exchange Act.*

*See* BANKS AND BANKING, 1, 3.

*County Courts Act, R. S. M. c. 33, ss. 320, 321, 327, 328.*

*See* PRACTICE, 1.

*County Courts Act, R. S. M. c. 33, s. 66.*

*See* COUNTY COURTS.

*Criminal Code, 1892, s. 3, s-s. 8.*

*See* PUBLIC OFFICER.

*Criminal Code, 1892, s. 148.*

*See* PERJURY.

*Criminal Code, 1892, s. 354.*

*See* CRIMINAL CODE.

*Criminal Code, 1892, s. 746.*

*See* CRIMINAL LAW, 1.

*Criminal Code, 1892, ss. 886, 889.*

*See* CRIMINAL LAW, 2.

*Debtors' Arrest Act, R. S. M. c. 43.*

*See* EXAMINATION OF JUDGMENT DEBTOR.

*See* PRACTICE, 2.

*Devolution of Estates Act, R. S. M. c. 45.*

*See* EVIDENCE, 2.