

in England is there now: McKenzie's Yearly Practice, 1907, pp. 1076 et seq. In the former tariff there is a fee allowed for attendance to inspect or produce for inspection documents referred to in any pleading or affidavit pursuant to notice under Order xxxi, r. 14—our Con. Rule 469 (1): see form 60; Wilson's Judicature Act, 2nd ed., p. 459; Yearly Practice, 1907, p. 1077.

There is no such item as our No. 90, which allows costs for "an inspection of documents when produced under order." The English case, therefore, does not govern; the amount is right when reduced to \$2, as it has been by the taxing officer.

2. A matter of discretion, and the discretion rightly exercised, and the same remark applies to 3.

4. Counsel fee advising on evidence. It is argued that such a fee cannot be allowed upon taking accounts in the Master's office. Fees for counsel are allowed for counsel attending on reference to the Master (item 155), and I am unable to understand why, that being so, tariff item 157 does not apply to justify the taxing officer to allow a fee advising on evidence. If I am permitted to appeal to my own experience, I would say that the taking of accounts requires as close a scrutiny of evidence and winnowing out of the immaterial as any part of a counsel's practice.

5. A question of fact decided against the appellant.

6 and 7. Matters of discretion.

8. A charge of \$10 for attending on return of motion, reduced by the taxing officer to \$2, is justified by item 91.

9. Letter to client to call 50c. .02c.

It is contended that the client would have had to call in any case, and that the solicitor should have waited for him to come in. I do not think so. Then it is said that the charge should be included in the instructions given when the client did call. I think not, and the quotation from Cameron on Costs, p. 118, does not assist.

10. Attending all day making copies of entries in Howard's books \$10.00

Attending completing copy of entries in book in Master's office \$10.00

Brown v. Sewell is cited as against this charge, but I am unable to see the relevancy of that case here. This was allowed at so much per folio, and is justified by item 57.

11 and 12. Matters of discretion.