

and documents of the company which were in their possession.

C. W. Kerr, for the solicitors.

F. E. Hodgins, K.C., for the liquidator.

Grayson Smith, for a creditor.

THE MASTER.—In the Am. & Eng. Encyc. of Law, vol. 3, p. 448, it is stated that "an attorney's lien on papers or other property of his client in his possession may extend so far as to secure any general balance due for professional services."

And the Cyc. of Law and Procedure, vol. 4, p. 1005, thus summarizes the rule: "The attorney is entitled to protection as an officer of the Court, or as one holding an equity superior to the claims of general creditors."

In the Winding-up Act, sec. 81, sub-sec. 2, this lien is recognized in the following words: "In cases in which any person claims any lien on papers, deeds, writings, or documents produced by him, such production shall be without prejudice to such lien, and the Court shall have jurisdiction in the winding-up to determine all questions relating to such lien."

In this case the former solicitors for the company had certain books and documents in their possession on which they claimed a lien, and an order was made for their production "without prejudice to such lien." Some of the books and documents are not within the rule as to lien, but some are. And *Re Capital Fire Ins. Co.*, 24 Ch. D. 408, illustrates the classes of documents to which the lien attaches.

In that case the Court held that certain of the documents which came into the solicitor's hands before the winding-up were subject to his lien, "and his lien, which was good before the winding-up commenced, is not interfered with by the winding-up order;" adding that "here a good lien was acquired before liquidation" (p. 420).

Boyd, C., in *Turner v. Drew*, 17 P. R. 475, said: "A solicitor's lien is a right to the equitable interference of the Court not to leave the solicitor unpaid for his services." And *Cordery on Solicitors* says: "The solicitor by virtue of his retaining lien is entitled to retain the property (documents) till payment of the full amount of his bill subject to taxation" (p. 294).

The former solicitors of the company having produced to the liquidator certain documents which come within the rule