

was allowed, upon the fiat of the Taxing Officer at Toronto, for preparation for trial at the sittings of September, 1916. The defendant claimed a fee of \$25 for each of the other three sittings. The learned Judge did not find in Tariff A. any indication of an intention that, in the absence of special order, costs of preparation for trial wholly or partly thrown away by a postponement of the trial should be allowed; nor any indication that, in the absence of a special order, there should in any circumstances be more than one fee for preparation for trial (Tariff A., item 6).

In November, 1916, the trial was postponed by the order of Middleton, J., the costs of the motion for the postponement and of the order being reserved to be disposed of at the trial. The judgment pronounced did not deal with the costs, and the defendant had no order for the payment of costs thrown away; so the appeal must fail as to preparation for trial on this occasion.

In January, 1917, the postponement was ordered by Latchford, J., who, by his order, awarded to the defendant the costs thrown away by the postponement. This entitled the defendant to payment for such of the services covered by tariff item 6 as were performed specifically with reference to the expected trial in January, 1917, and were thrown away by the postponement. There must be a reconsideration of item 8 of the objections.

The appeal against the disallowance of a fee for preparation for the trial in May, 1917, failed. There was no special order for such an allowance, and the one fee taxable under tariff item 6 had been allowed. The officer, having allowed it where it first appeared in the bill, had no authority to allow it again.

Item 13. Correspondence. It was contended that, in addition to the \$10 taxed under tariff item 16, there ought to be an allowance for correspondence necessitated by the postponements of the trial. What had been said with reference to the fee for preparation for trial applied equally to this. If there was any correspondence thrown away by the postponement in January, 1917, the defendant was entitled to payment for it under the order of Latchford, J.; and there ought to be an extra allowance unless the \$10 allowed fairly covered all the correspondence pending the suit, including that in question. This item must be reconsidered.

Items 6 and 9. Contested interlocutory motions in Court for postponement, 27th November, 1916, and 24th January, 1917. There was no order awarding these costs; and the appeal failed.

Item 11. Disbursements for photographs. Expert evidence was given as to whether a disputed signature was genuine. The expert witnesses prepared photographs of the signature and of other signatures proved to be genuine, and in giving their evidence referred to these photographs. This was a convenient procedure. Whether it ought also to be said that some or all of the photographs