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No. 45

APPELLATE DIVISION.

JULY 22ND, 1913.

EADIE DOUGLAS LIMITED v. H. C. HITCH & CO.

*Mechanics' Liens—Account—Cross-claims—Items in Dispute—
Findings of Master—Appeal.*

Appeal by the defendants H. C. Hitch & Co. from the judgment of the Local Master at Ottawa, in a mechanics' lien action; and cross-appeal by the plaintiffs from the same judgment.

The matters in dispute upon both appeal and cross-appeal were as to the allowance and disallowance of items going to make up the amount claimed by the plaintiffs as due in respect of their lien and sums charged by the defendants H. C. Hitch & Co. to the plaintiffs by reason of delay and otherwise.

The appeal was heard by CLUTE, RIDDELL, SUTHERLAND, and LEITCH, JJ.

J. E. Caldwell, for the defendants H. C. Hitch & Co.

H. M. Mowat, K.C., for the plaintiffs.

The judgment of the Court was delivered by CLUTE, J., who made an examination of the various items in dispute, and concluded that the appeal of the defendants H. C. Hitch & Co. should be dismissed with costs and the cross-appeal of the plaintiffs allowed, except as to \$542.19, with costs fixed at \$50.