

trar's taxation, it was in substance an appeal from a report which has been confirmed by lapse of time, and as to which no appeal now lies. By the report certain claims made by these defendants, appearing in that portion of their pleadings termed a counterclaim, were allowed by the Master to whom the matters in question between the parties under the pleadings had been referred. These claims were expressly allowed to the defendants as claims on their counterclaim. That is the finding and decision in the report; and the finding as to costs is that they are entitled to the costs of their counterclaim on the proper scale. If the matter had come up before the report had been confirmed by lapse of time, and on a motion to confirm it, or by way of appeal from the report before its confirmation, it might have been decided, as now contended by the plaintiffs, that under the authority of such cases as *Cutler v. Morse*, 12 P.R. 594, the counterclaim was not in reality such; but the plaintiffs having failed to appeal from the report upon the question which is really in issue upon this application, and that report having become final before the taxation occurred, the appeal must be dismissed with costs. W. L. Scott, for the plaintiffs. J. A. Ritchie, for the defendants.

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CORRECTIONS.

In *McDonald v. Grand Trunk R.W. Co.*, page 748, ante, 5th line from top, for "plaintiff" read "defendants," and for "defendants'" read "plaintiff's."

In *Wilson v. Hicks*, page 962, ante, 14th line from top, for "W. H. Best" read "J. M. Best."