

FALCONBRIDGE, C.J.K.B., agreed with RIDDELL, J.

KELLY, J., agreed in the result, for reasons stated in writing.

LATCHFORD, J., agreed with KELLY, J.

Order accordingly.

MARCH 23RD, 1915.

KNOWLTON v. UNION BANK OF CANADA.

*Mortgage—Ratification—Promissory Note — Bank — Account
—Estoppel—Reference—Report—Appeal.*

Appeal by the defendants from the order of LENNOX, J., 7 O.W.N. 817, dismissing, on the main grounds, the defendants' appeal from the report of a Local Master, but reducing the amount found due to the plaintiff from \$1,790.98 to \$1,552.18.

The appeal was heard by FALCONBRIDGE, C.J.K.B. RIDDELL, LATCHFORD, and KELLY, JJ.

J. A. Hutcheson, K.C., for the appellants.

S. H. Bradford, K.C., for the plaintiff, respondent.

The judgment of the Court was delivered by KELLY, J., who, after setting out and commenting upon the facts in evidence, said that he could find no satisfactory ground for disturbing the order of LENNOX, J.

Appeal dismissed with costs.

MARCH 23RD, 1915.

*CROWLEY v. BOVING AND CO. OF CANADA.

*Evidence—Motion to Divisional Court of Appellate Division for
New Trial—Discovery of Fresh Evidence—Examination of
Witnesses on Pending Motion—Appointment for, Set aside.*

This action was brought by Charles Crowley to recover damages for injuries sustained by him while working for the defen-