

to recover \$558, the balance upon the contract, less \$66.75, that is, \$491.25.—Judgment for the plaintiffs for \$491.25, with interest from the date of the writ of summons and costs upon the County Court scale, subject to a set-off of the excess of the defendants' Supreme Court costs. The money paid into Court is to be paid out on account of the ultimate balance due to the plaintiffs; if there is any excess, that may be returned to the defendants. A. E. H. Creswicke, K.C., and W. A. J. Bell, K.C., for the plaintiffs. F. W. Grant, for the defendants.

APPELLATE DIVISION

September 21st, 1914

CAMPBELL v. LEVIN

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