

## SUPREME COURT OF ONTARIO.

FIRST APPELLATE DIVISION.

OCTOBER 21ST, 1913.

## GIBSON v. CARTER.

5 O. W. N. 145.

*Judgment—Motion for, on Report of Referee—Appeal from Findings of Referee—Reduction in Amount Awarded—Dismissal of Appeal.*

KELLY, J., 24 O. W. R. 821, varied a finding in favour of plaintiffs by J. A. C. Cameron, Esq., Official Referee, by reducing the amount awarded them from \$2,700 to \$2,690, but otherwise dismissed defendants' appeal from such report.

SUP. CT. ONT. (1st App. Div.), reduced amount found due by \$75, and affirmed above order.

Appeal by the defendants from an order of HON. MR. JUSTICE KELLY, 24 O. W. R. 821, 4 O. W. N. 1565.

The appeal to the Supreme Court of Ontario (First Appellate Division, was heard by HON. SIR WM. MEREDITH, C. J.O., HON. MR. JUSTICE MACLAREN, and HON. MR. JUSTICE MAGEE, and HON. MR. JUSTICE HODGINS.

R. S. Robertson, for the defendants, appellants.

Glyn Osler, for the plaintiffs, respondents.

THEIR LORDSHIPS' judgment was delivered v. v., varying the above order by reducing the amount found due by \$75. In all other respects the above order was affirmed without costs of appeal.