

by Kasting and his agents or not, the item of rental of the derrick appeared frequently in the accounts rendered by the defendants. The plaintiff failed both on the law and the facts. Action dismissed with costs. The defendants may take the money out of Court and apply it *pro tanto* on their costs. Gideon Grant and F. H. Upper, for the plaintiff. A. C. Kingstone and F. E. Hetherington, for the defendants.