

Case No. 7,915.

KNOX V. WALTON ET AL.

[2 Wash. C. C. 507.]¹

Circuit Court, D. Pennsylvania.

Jan., 1811.

REFEREE'S REPORT—PLAIN AND PALPABLE MISTAKE.

A report of referees, made under an order of court, set aside, because of a plain and palpable mistake as to matters of fact, appearing by the evidence of the referees.

In this case [Knox against Walton and Caman], which came on upon exceptions to the report of referees under an order of the court, the report was set aside, upon the ground of a plain and palpable mistake of the referees as to matters of fact. The mistake appeared by the examination of the referees themselves.

¹ [Originally published from the MSS. of Hon. Bushrod Washington, Associate Justice of the Supreme Court of the United States, under the supervision of Richard Peters, Jr., Esq.]