

Other Bill of Exchange made by defendants, 29th August, 1842, directed to the said Turnbull and Radenhurst, payable 90 days after sight, payable to the order of the Plaintiff, for £100 sterling, for which said last Bill the Defendants received from the said A. & A. Macfarlane, £120 5s., being at the rate of $8\frac{1}{2}$ per cent, premium.

Presented and accepted, 15th September, 1842. Protest for non-payment, 17th December, 1842. Costs of Protest, 17s.

Sum total, including 10s. per cent damages, interest, costs of noticing and postages, £2,274 7s. 3d.

Paid on account, £1,233 5s. 4d., making with interest £1,367 10s. 2d.—Balance due to A. & A. Macfarlane of £960 17s. 1d., due the Plaintiffs by the Defendants, jointly and severally, with interest from this day, 1st May 1845.

That, by act passed before Gibb and colleague, notaries, 30 Decr., 1843, between the Plaintiff and his late partner, Archibald Macfarlane, their partnership was dissolved from and after the 15th of same month, and all the real estate and property, and all debts and sums of money, notes, bills, and all other credits due or payable to the Copartnership, and all goods, &c., composing the Stock in Trade, should belong exclusively to the Plaintiff, Andrew Macfarlane, with a Power of Attorney, from Archibald to Andrew Macfarlane, in the name of the late Copartnership, or of either of them, jointly or separately, or otherwise, to ask, demand, sue and recover.

Defendants, on 30th August, 1842, made their Promissory Note, and thereby, on the 31st December, 1842, promised to pay to the order of Andrew Shaw, £408 17s. 3d., value received, indorsed before payment and delivered by said Shaw to the Plaintiff.

Presented for payment 5th January, 1843. Failure of payment. Protest. Cost of Protest, 10s.

Defendants paid on account of said Note, £269 17s. 10d. Balance due, £163 19s., currency, with interest from 1st January, 1844.

Other Promissory Note made by Defendants on 30th August, 1842, payable 27th December, 1842, to the order of Andrew Shaw, esquire, for £405 3s. 8d. currency, value received, indorsed by Andrew Shaw before payment to the Plaintiff.

Presented for payment 31st December, 1842. Payment refused. Protested for non-payment. Costs of Protest, 10s. Paid by Defendants on account, £161 12s. 5d. Balance due, £243 11s. 3d. with interest from 24th January, 1843.

Other Promissory Note 30th August, 1842, by Defendants, to order of Andrew Shaw, for £425 13s. currency, value received, payable 3rd January, 1843, indorsed by Andrew Shaw to the Plaintiff.

Presented for payment 7th January, 1843. Non-payment. Protest, 10s.

Defendants paid on account £269 17s. 10d. Balance due, £169 14s. 2d., with interest from 20th July, 1843.

The whole of the aforesaid moneys so due, form united £1,484 1s. 6d., with interest as aforesaid.

On the 1st May, 1845, the Defendants were jointly and severally indebted to the Plaintiff in £2,000, for the price and value of goods sold, and for money paid by Plaintiff for the Defendants, and for interest and for money found to be due by the Defendants, jointly and se-