

was placed in a position similar to that of the judgment of a trial Judge. The appeal lay both upon fact and law; but upon questions of fact the award should not be interfered with unless there was some good and special reason for doubting the soundness of its conclusions. In the present case the arbitrators appeared to have examined the evidence with great care, and had inspected the property on two occasions. There was no ground for the holding upon the first appeal that the award had proceeded upon a wrong principle. It should therefore be upheld.

*Appeal dismissed with costs.*

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APPELLATE DIVISION.

SECOND DIVISIONAL COURT.

MARCH 26TH, 1917.

W. A. STONE & Co. v. NATIONAL COAL CO.

*Partnership—Promissory Note Signed in Firm Name—Liability of Member of Firm—Recognition by Endorsement—Satisfaction—Lost Instrument—Security.*

Appeal by the defendant Stander from the judgment of BRITTON, J., 11 O.W.N. 309.

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, LENNOX, and ROSE, JJ.

W. S. Brewster, K.C., for the appellant.

J. Harley, K.C., and A. M. Harley, for the plaintiffs, respondents.

THE COURT dismissed the appeal with costs.