

Benj. Lyman, Esq., at Messrs. Lymans, Savage & Co.'s, Montreal:

DEAR SIR,—I have to acknowledge the receipt of yours from Toronto, dated 1st April, 1859, declining to consent to my admission into the firm of Lymans, Savage & Co., on the 4th of the month, in accordance with their written agreement with me of 4th April, 1857. This agreement was entered into after mature consideration, on conditions that on my part I should advance four thousand dollars in cash, which I did at a time when cash was very valuable and scarce. Now, having kept my part of the contract, and not being aware of having ever said or done anything to cause you or any of your partners to break through yours, or to forfeit that confidence in me which you acknowledged to have lost at the period of our agreement, I beg to ask you to state explicitly, in a private note to me, the nature and cause of your charge. When you answer this, I shall have great pleasure in having a conversation with you.

Yours respectfully,
THOMAS S. HIGGINSON.

MONTREAL, 16th April, 1859.

B. Lyman, Esq., Montreal:

DEAR SIR,—You will oblige me by answering mine of the 2nd inst., received by you yesterday, as requested.

Yours truly,
THOMAS S. HIGGINSON.

MONTREAL, 16th April, 1859.

Messrs. Lymans, Savage & Co., Montreal:

I beg to enclose:

- 1st.—Copy of my engagement with you of the 4th April, 1857, containing agreement for my admission as partner in your firm.
- 2nd.—Copy of a letter received by me from B. Lyman, Esq., dated Toronto, 1st April, 1859.
- 3rd.—Copy of my reply thereto with demand of explanation.
- 4th.—Copy of a request for an answer to the last.
- 5th.—Copy of Mr. B. Lyman's answer.

The intimation contained in Mr. B. Lyman's letter of the 1st instant, surprised me very much. Being unaware, as expressed in my reply, of having said or done anything to cause a forfeiture of the confidence reposed in me at the time of entering into the engagement. I entertained a reasonable hope that Mr. B. Lyman's explanation would have afforded me an opportunity of removing any objections he might personally entertained. I therefore waited for his reasons, but as he declines being explicit, I now, in asking a fulfilment of my agreement, must insist on Mr. B. Lyman disclosing the reasons for his strange action in this matter. I am altogether unconscious of any good ground for excluding me from the benefits of my agreement, and trust that the matter will be so received by the rest of the partners, and by Mr. B. Lyman himself, after more mature consideration.

Yours, very truly,
T. S. HIGGINSON.

MONTREAL, 28th April, 1859.

Messrs. Lymans, Savage & Co., Montreal:

DEAR SIR,—Will you permit me to remind you of the subject of my note to you of the 16th instant, to which I would feel obliged to you for a reply.

Yours, very truly,
THOMAS S. HIGGINSON.

MONTREAL, 30th April, 1859.

Messrs. Lymans, Savage & Co., Montreal:

DEAR SIR,—I regret to have again to call your attention in a particular manner to the subject of our agreement of the 4th April, 1857, but justice to myself compels me to urge it on your consideration until our relative situations shall be clearly understood.

From your protracted silence, it would appear that some aversion exists on your part to a distinct recognition by you of my position. I have, in vain, tried to remove this, and have several times desired to know your views on the subject. I have now no alternative but to intimate to you, which I do most respectfully, yet in a decided manner, what I claim as my rights.

By the agreement of the 4th of April, 1857, I was to be admitted as a partner on the 4th instant, having previously had a small interest in the business without my name appearing in it.

From the 4th instant I consider myself, and claim to be a partner, having an equal share in the business with the other partners of the house—that is, as there will now be four partners, my interest will be one-fourth share. Should any change be desired to be made in the name of the firm in consequence, I will be glad to fall in with your views on this point. I think my name should, at all events, appear as a partner, when the separate names of the partners are used, and there should be a new registration. You will please accept this as an intimation that I am, and claim to be a partner in the business to the extent of one-fourth share since the fourth instant, and I remain and perform my duties in the establishment on that condition and on the footing of being such a partner. I trust that you will excuse this intimation which the necessity of the case seems to impose upon me. In regard to the existence of any grounds of objection personal to me as suggested by Mr. B. Lyman, I must suppose they originate with himself, and are not participated in by the other partners. As he has withheld any explanation, and being unconscious as already stated of any just cause for the imputation, I hope I shall not be deemed uncharitable for entertaining the suspicion that his objections proceed from other grounds which he does not choose to state, viz.: a reluctance on his part to fulfil the engagement.

Yours, very truly,
THOMAS S. HIGGINSON.

MONTREAL, 3rd May, 1859.

Messrs. Lymans, Savage & Co.:

DEAR SIR,—I have received your letter of the 2nd instant, refusing to acknowledge or carry out your agreement of the 4th of April, 1857. I have to express my deep regret at the conclusion to which you have arrived, and which

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