

agreement of the 24th December should be treated as fully effective. Defendants' letter reading as follows:—

"Hugh Graham, Esq.,
"Montreal.

"Montreal, 27th January, 1908.

"Dear Sir:—

"We have your letter of the January, 1908, informing us that you have succeeded in financing the obligations of the Company, as provided in our agreement of the 24th December, 1907. These have also been arranged to our satisfaction. Consequently, the agreement in question will be fully effective from this date.

"Yours truly,

(Signed) "L. J. TARTE,
"EUGENE TARTE,
"LA PATRIE PUB. CO.

(Signed) "L. J. TARTE,
"President and Mgr."

In further assurance of the Defendants' satisfaction and gratitude, Defendants wrote Plaintiff under date the 26th day of February, 1908, in the following terms:—

"Mr. Hugh Graham,
"Montreal.

"Montreal, February 26th, 1908.

"Dear Mr. Graham:—

"We note the fact that you prefer not to take our offer to let you have your bonds at a discount. The fact that you prefer to be on exactly the same basis as other friends who have aided certainly is magnanimous considering the immense work you have done and we thank you for your kindness.

"You have made a splendid arrangement with the Goss Company and by thus saving us seven thousand dollars it makes about one hundred thousand dollars you have saved us taking into account the deductions by various creditors made through your instrumentality. You have done everything promised in our agreement and vastly more than you promised. In fact you have retrieved 'La Patrie' and whatever our future may be we owe to you.

"Yours very truly,

(Signed) "L. J. TARTE,
"EUGENE TARTE.

Defendants continued to run behind and from time to time asked for further assistance from Plaintiff, and on the 31st day of December, 1908, wrote Plaintiff as follows:—

"Sir Hugh Graham,
"City.

"Montreal, December 31st, 1908.

"Dear Sir:—

"In view of the fact that you have much more than fulfilled all your promises and obligations under our agreement we hesitate to ask you to still further help us. The interest