

EXAMINATION OF THOMAS N. CHRISTIE.

The examination of Thomas Nichol Christie taken before me this 20th day of May, A. D. 1891, under an appointment dated the 18th day of May 1891, this the 20th day of May, A. D. 1891.

Thomas Nichol Christie, being sworn was examined by Mr. McCarthy :—

I am a member of the firm of Le Jeune, Smith & Co., the plaintiffs. I produce the first note sued on dated 11th August, 1890. The consideration for this note (was not for money advanced on this note) it was a renewal for another note of similar amount. The consideration for exhibit B (T. B. L.) was for paper due in the office of Le Jeune, Smith & Co., a number of 10 notes with his name on. When exhibit B was given there was no special note to cover. I did not know how it happened that the amount \$664.50 was put in at that time. The plaintiffs held four notes with Lafferty's name on, \$100.00, \$80.00, \$171.00, \$313.50. When I got exhibit B I did not make any further advance on it. I did not make any further advance on it at all. I did not ask Mr. Lafferty how that amount was made up. I cannot tell you what notes were overdue when I got exhibit B from Lafferty. I think the four notes were current when this note was given. I don't think on the day that note was given I took any new notes or renewals from him. Mr. Scott was present when the note was given me. I did not have any conversation in particular with Mr. Lafferty in reference to the four notes. If he asked for a statement he may have got one. The note was filled up when 20 handed to me. When first handed to me it had not the pencil memoranda there. I asked Lafferty if this note was to cover anything in particular and he said "No, Christie; this is to cover any paper with my name on, and I will keep reducing the amount and you can hold this as collateral until my paper is paid." I do not know why he came in on that particular day. There was no paper past due, and I was not in a position to sue him at that time. I could tell by my books when I got the note. I received it on the 9th of May, 1890, as appears by collection register. Entry in book in red ink is made by Mr. Scott at the time the note was entered. The \$313.50 note first matured after the 8th May on May 21st, 1890; it was for \$300.00 and \$13.50 interest. I renewed this note on May 21st, 1890, for three months, and when due on the 25th August, I renewed it for one month and on September 29th I renewed it for one month; 30 on November 1st, 1890, I renewed it for three months. This was the last renewal. The \$171.00 note was not current when I got the \$664.50. It was past due and not renewed till May 10th and ante dated as appears by collection register; when this came due it was renewed for one month five times. October 21st is the last renewal I have. I had a note for \$100.00 when I got the \$664.50 note. \$100.00 dated 8th March three months, 21st June renewed one month, 24th July renewed one month, 27th August renewed one month, 29th September renewed one month, 1st November renewed two months due January 5th, 1890 is the last renewal I have. I had a note for \$80.00 when I got the \$664.50 on May 12th; it was renewed for one month; on June 16th renewed for one month; on July 19th renewed for one month; on August 22nd renewed for one month; on September 25th renewed for one month; on October 25th renewed 40 for one month. This is the last renewal I have. On the 8th May I had other notes with Lafferty's name on, outside of Sparrows'. At the time I received this note (\$664.50) I held a note of T. B. Lafferty for \$180.00; it was dated April 14th, payable in 30 days. I gave the money to him, I think; this note was paid. I also had with Lafferty's name on one for \$324.00 dated March 21st, made by one J. T. Johnson, payable to T. B. Lafferty, four months after date; this