

A like certificate for each of the following was left . . . at Robert Quaid's house; Robert B. Quaid (Burt), 2 shares, \$400; Thomas F. Quaid (Fred), 2 shares, \$400; James A. (Albert), $2\frac{1}{2}$ shares, \$500.

A certificate was sent by Watterworth, dated 3rd February, from London . . . addressed to John Quaid

A certificate was on the same day either sent to James Scott or left at Robert Quaid's for him, certifying that he had purchased one-half share at \$100.

The note sued on and the other two notes signed by defendants are all cut exactly the same size—8 inches wide by 4 inches deep—and evidently bound in a book with the counterfoils attached, and perforated to enable the blank notes to be readily detached. The bodies of the notes are in good clear type, the names of the payees, "R. Hamilton and John Hawthorne," being in capitals. The blanks for the place where made, the date when payable, the amount of the note, and the place where payable, are all filled in in large and extremely legible writing.

Defendants said that all the documents they signed were 18 inches long, while the three notes are 4 inches in length or depth, and were never any longer. If defendants, or any of them, had looked while signing, it was impossible that they should not have seen and recognized that what they were signing were promissory notes. If they did not look, they were guilty of negligence, and therefore liable to a holder in due course.

It strikes me that the story about not knowing that what they were signing were notes representing the price of the stallion, was an afterthought. They received the guarantee in which the price of the horse is mentioned as being \$2,000. Then the certificates left with or for the purchasers shew that the shares held by them amount in the aggregate to \$2,000.

On 8th February, 1905, Hamilton & Hawthorne wrote to Robert Quaid saying that they had been informed by Watterworth that he (Quaid) had purchased the stallion "Munster," and they considered that he had bought the best stock horse they imported last fall. Robert Quaid answered this letter on 21st February, saying he was well satisfied with the horse. He did not reply saying—as he