

"Q. Did you subscribe the stock list such as you have described for 10 shares more? A. I don't remember it being a list at all that I gave my name for the 10 shares. Q. How did you apply? A. The president wanted, or the manager wanted, my name to assist him in selling stock, and it was in that way I gave him my name. Q. How did you give him your name? A. I just signed my name on a paper, but I don't remember any list at all, the second time that I signed. Q. On a paper for how many shares? A. For 10 shares."

And further on he stated in answer to my questions: "Q. You say you signed your name for 10 shares more? A. The manager wanted my name in order to assist him to sell stock,—it was not for the sale of the shares to me." After some irrelevant answers he was asked again: "Q. I ask you what was the fact. You say you were asked to subscribe for a purpose, was not that what you have stated? A. Well, the manager represented to me that he was wanting my name to assist him in selling stock. Of course I did not talk much more about it until I saw my name in the book for— Q. And while you gave your name you did not intend that that contract should be binding on you? A. No, your honour, I didn't."

The books of this company shew that certain original entries have been scratched out with a pen knife. But in the journal of 1905, exhibit No. 3, on p. 4, a list of the shareholders appears, among which is the following entry: "Mar. 31, Saml. Egan 420—\$1,500." And in the ledger of 1905 (exhibit No. 5), on p. 420, is the following entry: "1905, Mar. 1, J. 4 \$1,500—the figure 1 in the \$1,500 being crossed out by a pen mark, but the reference is to the journal, p. 4. In the other books the figure before 500 is scratched out with a pen knife.

These entries explain what the original and erased entries stated, namely, that this director-contributory had been entered in the books of this company as a shareholder for 15 shares of the value of \$100 each, in all \$1,500, on which he has paid \$500, leaving \$1,000 still unpaid.

On 11th March, 1905, this director-contributory was elected a director of the company; and he then complained that the entry of \$1,500 was wrong, and finally at a meeting of the board of directors held on 8th June, 1905, the following entry of a resolution is recorded and was passed at his