

the Field Officers and Captains of Militia or Lieutenants commanding companies.

One copy only to be transmitted to the same person.

the Peace, to the Field Officers and Captains of Militia, of each Parish in this Province, and on the death or dismissal of any Captain of Militia, then the same to be delivered over to his Successor in office: Provided always, that only one Copy thereof in both Languages, shall be transmitted to the same person, at the Public expence.

## CHAP. II.

### *An ACT to facilitate the Negotiation of Promissory Notes.*

[31st May, 1794.]

Preamble.



HEREAS it will tend to the encouragement of Trade and Commerce within this Province, that the negotiation of Promissory Notes be facilitated: BE IT ENACTED BY THE KING'S MOST EXCELLENT MAJESTY, by and with the advice and Consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the Authority of an Act of the Parliament of Great Britain, passed in the thirty first Year of His Majesty's Reign, intituled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled "An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province," AND IT IS HEREBY ENACTED by the Authority of the same,

All Promissory Notes signed by any person, shall be held to be due to the person, to whom made payable.

And all Promissory Notes payable to order, shall be assignable by indorsement, specifying the day of assignment, to whom payable, and that the indorsement was made for value received.

And shall be so indorsed by every new transfer thereof.

The payee may maintain an action against the maker of any such Note.

Or against any drawer or indorser.

And the Plaintiff shall recover damages and Costs. But upon a nonsuit or Verdict against the Plaintiff, Defendant shall recover Costs. Persons recovering principal debt may sue out Execution for damages and costs.

I. That from and after the passing of this act, all Notes in writing, commonly called Promissory Notes, hereafter to be made and signed by any person or persons, or by his, her or their Attorney or Attornies, legally authorized to sign such Promissory notes for him, her or them: whereby such person or persons, his, her or their Attorney or Attornies as aforesaid, shall promise to pay to any other person or persons, his, her or their Order, any Sum of Money mentioned in such Promissory Note, shall be taken and construed to be, by virtue thereof, due and payable to any such Person or Persons to whom the same shall be made payable, and also every such Promissory Note, payable to any person or persons, his, her or their order, shall be assignable and indorsable over to any other Person or Persons, by an Indorsement, or Assignment written and signed on such Promissory Note, specifying the date of such Indorsement, the name of the Person or Persons, to whom or whose order such Note is indorsed, and that such transfer is made for value received; and shall, by every new holder or holders under such Indorsement or Assignment as aforesaid, be further indorsable and assignable to any other person or persons, in the like manner, as often as the case may require: and that the Person or Persons to whom such sum of Money shall be, by such Promissory Note, made payable, shall and may maintain an Action for the same against the Person or Persons who, or whose Attorney or Attornies as aforesaid, made and signed the same; And that any Person or Persons, to whom such Promissory Note that is payable to any Person or Persons, his, her or their Order, shall be indorsed or assigned, or the money therein mentioned, ordered to be paid by Indorsement or Assignment thereon as aforesaid, shall and may maintain his, her or their action for such sum of money, either against the Person or Persons who, or whose Attorney or Attornies as aforesaid, made and signed such Promissory Note, or against any of the persons, who indorsed or assigned the same as aforesaid: And in every such Action, the Plaintiff or Plaintiffs shall recover his, her or their damages and Costs of suit: And if such Plaintiff or Plaintiffs shall be nonsuited, or a Judgment or a Verdict be given against him, her or them, the Defendant or Defendants shall recover his, her or their Costs against the Plaintiff or Plaintiffs; and every such Plaintiff or Plaintiffs or Defendant or Defendants, respectively recovering, may sue out execution for such damages and Costs, in such manner as is lawful in other cases; any Law, Usage or Custom to the contrary notwithstanding.

PRO