

BILLS AND NOTES.

An Act to amend the Law relating to Bills of Exchange and Promissory Notes, and the Stamps thereon. 37 Vict. Chap. 47. Passed 26 May, 1874.

Whereas it is desirable that the law relating to Bills of Exchange and Promissory Notes should be amended in the particulars in this Act mentioned: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Notice of the protest or dishonor of any bill of exchange or promissory note payable in Canada, shall be sufficiently given, if addressed, in due time, to any party to such bill or note, entitled to such notice, at the place at which such bill or note is dated, unless any such party has, under his signature, on such bill or note, designated another place, when such notice shall be sufficiently given, if addressed to him, in due time, at such other place; and such notices so addressed shall be sufficient, although the place of residence of such party be other than either of such before mentioned places.

2. Section twelve substituted by the Act passed in the thirty-third year of Her Majesty's reign, chapter thirteen, for section twelve of the Act passed in the thirty-first year of Her Majesty's reign, chapter nine, shall be and is hereby repealed, and the following section is substituted for the said section so repealed:—

12. "Any holder of such instrument may pay double duty by affixing to such instrument a stamp or stamps to the amount thereof, or to the amount of double the sum by which the stamps affixed fall short of the proper duty, and by writing his initials on such stamp or stamps, and the date on which they were affixed; and where in any suit or proceeding in law or equity, the validity of any such instrument is questioned by reason of the proper duty thereon not having been paid at all, or not paid by the proper party, or at the proper time, or of any formality as to the date or erasure of the stamps affixed having been omitted, or a wrong date placed thereon, and it appears that the holder thereof, when he became such holder, had no knowledge of such defects, such instrument shall be held to be legal and valid, if it shall appear that the holder thereof paid double duty, as in this section mentioned, so soon as he acquired such knowledge, even although such knowledge shall have been acquired only during such suit or proceeding; and if it shall appear in any such suit or proceeding to the satisfaction of the court or judge as the case may be, that it was through mere error or mistake, and without any intention to violate the law on the part of the holder, that any such defect as aforesaid existed in relation to such instrument, then such instrument, or any endorsement or transfer thereof, shall be held legal and valid, if the holder shall pay the double duty thereon as soon as he is aware of such error or mistake, but no party who ought to have paid duty thereon shall be released from the penalty by him incurred as aforesaid."

3. Notwithstanding anything in the Acts before mentioned or in this Act, from and after the first day of August next, after the passing of this Act, any bank or any broker who makes, draws or issues or negotiates, presents for payment, or pays, or takes, or receives, or becomes the holder of any instrument not duly stamped, either as a deposit, or in payment, or as a security, or for collection or otherwise, knowing the same not to be duly stamped, and who does not immediately on making, drawing, issuing, negotiating or presenting for payment, or paying, or taking, or receiving, or becoming the holder of such instrument, affix thereto and cancel the proper stamps within the meaning of the Act thirty-first Victoria, chapter nine, shall incur a penalty of five hundred dollars for every such offence; and shall not be entitled to recover on such in-

strument, or to make the same available for any purpose whatever, and any such instrument shall be invalid and of no effect in law or equity.

4. Notwithstanding anything in the Acts before mentioned or in this Act contained, no bill of exchange drawn and payable outside of the Dominion of Canada shall be invalid, nor shall the maker or any owner or holder of any such bill be subject to any penalty in consequence of no stamp or stamps of this Dominion being affixed to such bill.

5. In this Act the word "Bank" means and includes any chartered bank, and any banking institution, and any branch or agency thereof. The word "Broker" means and includes any broker or person by repute doing the business of brokerage. The word "Instrument" means and includes any promissory note, bill of exchange, or part thereof, draft or order, upon which a duty is payable under the Act thirty-first Victoria, chapter nine.

6. This Act shall only go into force from and after the first day of August next.

NORTHERN PACIFIC RAILROAD BILL BEFORE CONGRESS.

The bill to aid the construction of the Northern Pacific Railroad, introduced in the Senate, May 11, by Mr. Ramsay, authorizes the company to issue five thousand 30-year gold bonds, to the extent of \$50,000 a mile for the length of road built and to be built. These bonds are to be delivered to the Secretary of the Treasury, and to remain in his possession. Whenever twenty additional miles of road and telegraph line are built and equipped, and certified to by the Government Commissioners as being complete and ready for occupation, the Secretary of the Treasury shall, in the name of the United States, make this indorsement of the five per cent bonds: The United States of America hereby guarantee to the holder of this bond the payment of the interest thereon in gold coin, at the rate of five per cent per annum, semi-annually, namely, on the first day of July in each year, and to secure the payment of the principal of this bond at maturity the Northern Pacific Railroad Company has delivered to the Secretary of the Treasury, as collateral security, a bond of like amount bearing interest at seven and three-tenths per centum per annum, secured by the first mortgages of the said company on its entire road, franchise, land and other property to be available to the holder thereof when the prior lien of the Government of the United States shall have been extinguished by the payment by said company of the interest on all the bonds so guaranteed. The Secretary of the Treasury shall pay out these guaranteed fives to the railroad company as follows: Whenever twenty or more continuous miles of road are constructed, equipped and ready for operations, forty thousand dollars of bonds per mile are to be handed over to the company, and at the same time ten thousand dollars worth in amount per mile are to be put away in the treasury as security to the Government for prompt payment by the company of the guaranteed interest. As further security to the Government, simultaneously with the delivery to the company of \$40,000 per mile of the five per cent guaranteed to the company, shall deliver to the Secretary of the Treasury its seven and three-tenths first mortgage bonds in the proportion of \$50,000 of the latter to \$40,000 of the former. For further security and for additional means to provide for the guaranteed interest the railroad company turns over to the Government its entire land grant acquired and to be acquired, to be administered by the Government, and by it sold in limited quantities to actual settlers only at \$2.50 an acre, subject, however, to the vested rights and equities of third parties. For

further security, twice every year, and fifteen days before the guaranteed interest shall fall due, the railroad company shall pay into the United States Treasury the net earnings of the road for the preceding six months, and any sum beside necessary to make up the interest. For further security, if the sales of the company's lands and earnings of its road prove insufficient to provide for the interest on the guaranteed bonds, the Secretary of the Treasury may sell enough of the ten thousand per mile retained by him to meet the interest. After that, if there shall remain a surplus in the treasury arising from land sales and net earnings, the Secretary shall pay it over to the company till the end of 1888. Thereafter such surpluses shall be paid into the company sinking fund, to extinguish the five per cents. Holders of Northern Pacific 7 30s issued prior to this act can have them exchanged at the treasury, dollar for dollar, with interest guaranteed from and after July 1, 1878, if the exchange be made before that day. If made after that day, they get the guaranteed interest from and including January 1 or July next following the exchange. The 7 30s thus exchanged are retained by the Government as additional security for its guarantee of the 5s. To secure the payment of the principal of the 5s the Government will hold all the company's 7 30 bonds deposited in the treasury when the 5s are issued for construction and that get there on exchanges. Also a sinking fund to be established, to commence January, 1889, of one per cent per annum of all bonds issued under this act, to which shall be added the surplus in the treasury arising from the sales of the company's lands and the deposit of its net earnings.

The sinking fund is to buy up the guaranteed fives. They are to be cancelled in the treasury as bought, but the railroad company is to continue to pay interest on them the same as if they were not cancelled. The act extends the time for construction to December 31, 1875, and every year thereafter one hundred miles shall be completed, of which at least forty shall be west of the Rocky Mountains, and the whole road completed by July 4, 1884. The seventies remain the first lien on the road and the rights of their holders remain untouched. The act restores about 50,000,000 of acres of public lands to the Government to be disposed of to actual settlers at the price now limited by law for the adjoining public lands. The act further provides that Congress may fix and determine the fares, tolls and charges to be paid for transportation of persons and property on this railroad or any part of it.

DEPRESSION IN THE ENGLISH IRON TRADE.

—A letter from Birmingham, under date of the 16th, says: "The trade continues in the depressed and disorganised state which has now characterized it for the last two months or more. Business is almost a standstill, and it is not easy to see what or how a change is to be brought about until prices all around are very considerably reduced. This will imply, of course, a further reduction in coal which will necessitate a fresh reduction of wages over and above that which the masters are at present contending for, and in all probability a new and prolonged struggle between coalmasters and their workpeople."

MIDLAND RAILWAY OF CANADA.—Statement of traffic receipts for week ending June 7th, 1874: Passengers, \$1,610.76; freight, \$6,893.51; mail and express, \$240.08; total, \$8,744.35; week ending June 7, 1873, \$10,168.15; total traffic to date, \$115,537.31; year previous, \$113,405.78; increase, \$2,131.53.

—Mr. Orchard formerly of the Bank of British North America has been appointed agent of the new branch of the Bank of Commerce to be opened in Windsor, in a few days.