

notarial profession of Quebec a consideration that is not shown to the professional men of the other Provinces. Consequently I think the same consideration should be extended to the members of the profession in the other Provinces.

HON. MR. KAULBACH—You would make the other Provinces subject to the law of Quebec?

HON. MR. LOUGHEED—I am strongly in favor of the suggestion thrown out by the leader of the House, that we should make the Quebec system uniform throughout the Dominion.

HON. MR. KAULBACH—Though I am a lawyer, I do not approve of that.

HON. MR. POWER—If there is a risk of destroying the Confederation we should not protest any further against this exception; but I think the leader of the House rather misrepresents the position taken by those who are opposed to his view. The opposition is not based chiefly on the fact that the fees of notaries in Quebec are higher than the fees of notaries elsewhere, but that certain things must be done in order that the holder of a note may recover on it in the Province of Quebec, and this difference makes a sort of trap for the holder.

HON. MR. SCOTT—I drew attention to the fact that it would be very much better if the law were uniform throughout the whole Dominion. I cannot, however, forget that the practice, in Ontario at all events, is that all inland bills are protested. The banks invariably protest—that is where 99 per cent. of the protests come from. If a man wants a bill protested he hands it in to a bank. Therefore I do not see very much after all in the exception in favor of Quebec. It only is important with respect to the amount of the fees charged.

HON. MR. ABBOTT—I do not understand sub-section (b.) It is as follows:—

“(b.) When a bill drawn, payable at the place of business or residence of some person other than the drawee, has been dishonored by non-acceptance, it must be protested for non-payment at the place where it is expressed to be payable, or at a place in Canada situated not more than five miles therefrom, and no further presentment for payment to, or demand on, the drawee is necessary.”

There must be some omission in that: it ought to apply to the case which

actually occurs, that is, that if a bill is dishonored by non-acceptance then it should be protested for non-acceptance, and if by non-payment, then it should be protested for non-payment. The process which a bill goes through is this: it is presented to the drawer, and if he refuses to accept, it is protested for non-acceptance, and thereupon the holder immediately has an action against everybody whose name appears upon the bill to recover the amount of it; but why should he be put to the trouble and expense of protesting it again after he has gone through the process which makes everyone on the bill liable to the holder? There is no occasion for the expense of another protest.

HON. MR. HOWLAN—The ordinary course of business is to hold the bill until the time is up.

HON. MR. POIRIER—If a bill is presented and not accepted, it then and there becomes due—it has matured, and therefore it can be protested for non-payment.

HON. MR. ABBOTT—It can, but why?

HON. MR. POWER—I think a little more consideration still is due to this matter. Inasmuch as we are dealing with inland bills, if a bill is not paid then it must be protested at the place where it is expressly payable. I think perhaps the better way would be to let the clause stand over for further consideration. The English Act was drawn with great care, and we should be slow to depart from its terms.

HON. MR. ABBOTT—I do not understand why there should be any difficulty about adopting the proposition which I have made. Let us see how the parties all stand. A bill is drawn by Brown payable in Montreal. It is presented to this person in Kingston, say, and he refuses acceptance. It is protested or not protested, but in either case notice of dishonor must be given to every party on that day or the next day, or all recourse against the parties is lost. Then the next day everybody who is a party to the bill knows that it is not accepted, that it is dishonored, and that a right of action has accrued to the person who holds it to sue them all, which he can do without further notice or demand, and it is their business then to pay or not to pay it. If they do not pay it they subject themselves to an action. Since the