

PREFACE.

The book which I am venturing to commit to the kindly consideration of the bankers and the members of my own profession in the Dominion consists primarily of an exposition of the Bank Act and the Bills of Exchange Act, recently re-enacted as Chapters 29 and 119 of the Revised Statutes of Canada, 1906.

The former Act has established a system of banking which differs in many respects from that prevailing either in England or in the United States. The Act contains provisions in regard to the incorporation, organization and existence of chartered banks with important but carefully limited lending powers and other privileges, and in regard to the security afforded by the banks to the public.

Since 1901 no commentary on the Bank Act has been published and the cases on the subject which have been reported during the last six years are both numerous and important.

In connection with the Bank Act, I have not neglected to discuss the general relation of banker and customer and the body of law merchant which governs that relation, but the limits of time and space have restricted my discussion of them to a moderate length. The Act affects such relation to a comparatively small extent, and the standard English text books contain an exposition of the law more in detail than it has been possible to include in a book of the somewhat wide range of this one.

In the course of the second part of the book, I have had frequent occasion to acknowledge my indebtedness to Chalmers on Bills of Exchange. The fact that the English Act was drafted by the author of that work and that the provisions of the Act were for the most part his deductions from the cases which he cites as illustrations gives his work a peculiar importance. I have, therefore, made a free use of Chalmers' illustrations. In doing so I am following the example of previous commentators on the Canadian Act.

Both the Bank Act and the Bills of Exchange Act are also illustrated by the leading Canadian cases. Inasmuch, however, as the Bills of Exchange Act is a codifying Act and has made