

I think he had better give notice and move that it be brought down.

The motion was agreed to.

BILLS OF EXCHANGE AND PROMISSORY NOTES BILL.

THIRD READING.

The Order of the Day being called—Third reading Bill (6) "An Act relating to Bills of Exchange, Cheques and Promissory Notes," as amended,

HON. MR. ABBOTT said: As the House is aware, when we completed the very exhaustive examination that we made of this Bill, the House ordered that it be reprinted, and it has been reprinted. Since that I have again gone over it carefully with my colleague, the Minister of Justice, and there are two or three points in which we can still make some slight emendations. We inserted a provision that if a cheque payable to order was paid out of the drawer's funds on a forged endorsement, the drawer should give notice of the forgery within a limited time, but we omitted to provide for the case where the cheque is paid out of an overdrawn account. There is also a point to which my hon. friend from Montreal called my attention, but which escaped my notice. There is a provision in the law that if a bill is drawn on a man whose name is mis-spelled, he may endorse that bill in the name attributed to him in the body of the Bill, and if he thinks fit he may also add his own name. My hon. friend from Montreal suggested that it ought not to be optional to state his own name, that he should state his own name as well as the one in the body of the Bill. In fact there is some irregularity in a man signing a name which is not his own, and if he does so he ought to be required to put his own name also. I propose to strike out the words "if he see fit." Then there was another clause which gave us a great deal of trouble, sub-section *b* of clause 51. This clause read in a most extraordinary manner, and we took some trouble to amend it. The clause said:

"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."

That appeared to us to be nonsense, as it required a bill dishonored by non-acceptance to be held over and protested for non-payment. The House also thought it was wrong, and it was made to read that if a bill was drawn of this description and dishonored by non-acceptance or non-payment, then in the case of non-acceptance it must be protested at the place where it was presented for acceptance, and if dishonored by non-payment it must be protested at the place where it was payable. After a long discussion, trying to find out what was the reason for putting it in this shape, we found that it was a clause drawn from an old English Bill which was entirely foreign to our present practice, and in order to do all that is needful, namely, to ensure its being protested for non-acceptance or non-payment, as the case may be, at the proper place, nothing more is necessary than sub-section 6, which provides:

"A bill must be protested at the place where it is dishonored, or at some other place in Canada situate within five miles of the place of the presentment and dishonor of such bill.

That applies of course to whatever dishonor occurs. If it be a dishonor by non-acceptance the protest must be made at the place where it is refused acceptance; if it be dishonored for non-payment the protest must be where it was payable. I propose to ask the House to strike out that sub-section *b*, which has given us so much trouble, as being unnecessary. There is nothing else of importance in this voluminous bill except a word or two in the schedules which uses the words "a householder in the said district." This is taken from an English Statute and is not appropriate in our form. I move that the Bill be not now read the third time, but that it be referred back to a Committee of the whole House for amendment.

The motion was agreed to.

In the Committee, the amendments explained were made.

HON. MR. DRUMMOND—I propose now the amendment of which I gave notice, which is to strike out the words "except in the Province of Quebec" in the 51st clause. I think a great deal more importance has been attached to the effect of this omission than it will reasonably bear; but whatever it is I think it a pity that a Bill which professes to be a general law for the whole Dominion should contain an