

DOMINION LEGISLATION OF 1891.

The session of 1891, instead of being, as was generally expected, brief in duration and unimportant in results, was not only prolonged far beyond the usual term of sitting, and remarkable for the incidents which occurred during its progress, but was also prolific of useful and necessary legislation. Into the events which caused the unusual length of the session it is not our province to enter, nor do the incidents connected with it come within the scope of our enquiry. It is for us, however, briefly to review the numerous Acts which, amid the din of party strife and the investigations which chiefly occupied the time and attention of Parliament, were placed upon the statute book, and for which the country is mainly indebted to the ability, industry, and perseverance of that indefatigable and painstaking jurist, the present Minister of Justice.

Referring, then, to these Acts in the order in which they appear in the statutes, we find, after a measure continuing for the present season the arrangement under which American fishing vessels are allowed the privilege of sharing in our fisheries, pending a permanent settlement of the questions in dispute, three Acts of great importance relating to matters at issue between the Dominion and Provincial Governments. The first relates to matters in dispute between the Governments of Canada and Ontario respecting certain Indian reserves in what was known as the disputed territory, and which may, if after enquiry they are not considered satisfactorily arranged, be referred to a commission. The second of these Acts provides for a reference to arbitration of the outstanding accounts between the Dominion and the Provinces of Ontario and Quebec, which, not much to the credit of any of the parties concerned, have been allowed to remain for so many years in dispute; and the third authorizes the transfer to the provincial authorities, as being the body most competent to control them, all the interests of the Government of the Dominion in the foreshores of streams, lakes, and harbors, and other territorial waters of Canada, with certain specified exceptions.

Chapter 17 is an Act to amend the Bills of Exchange Act, 1890. The amendments sought by the first three sections are intended to make it clear that bills and notes payable at sight are entitled to the usual three days of grace. Section 24 of the Act of 1890 is amended by s. 4 of the Act before us, making an important change in the original section, which provided that a forged or unauthorized signature is wholly inoperative to give the drawee or holder any right, as against any party thereto, either to retain the bill, to give a discharge therefor, or to enforce payment thereof. The amending section gives the drawee paying a cheque with a forged endorsement the rights of a "holder in due course" against any endorsement subsequent to the forged endorsement and against "bearer as a transferrer by delivery," and any such endorser paying him is to have the same rights as against any endorser prior to him but subsequent to the forged endorsement. Section 8 introduces into our law the rules of the common law of England, including the law merchant, save in so far as they are inconsistent with the express provisions of the Act, and shall be deemed