

may be drawn on a banker. Neither will the fact that the maker writes it on a 'blank check' be any test, for the kind of paper it is written on cannot control the import and legal effect of its words. Neither can the question whether it is drawn against a previous deposit of funds by the drawer with the drawee furnish any criterion, for nothing is clearer than that a bill of exchange, as well as a check, can be drawn against such a deposit, and that an instrument may be a check although the drawer has no funds in the hands of the drawee. Neither will it do to say that if it is entitled to grace it is a bill, but if not entitled to grace it is a check, because the legal character of the instrument has first to be determined before it can be known whether or not it is entitled to grace. In short, if we omit from the definition of a check, the element of its being payable on demand, bankers and business men are left without any definite rule by which to govern their action in a matter where simplicity and precision of rule is especially desirable. It might be expedient to enact, as has been done in New York and some other States, that all checks, bills of exchange, or drafts, appearing on their face to be drawn on a bank or banker, whether payable on a specified day or any number of days after date or sight, shall be payable on the day named in the instrument without grace; or, what might be better still, to abolish days of grace altogether as a usage which has already long outlived the condition of things out of which it had its origin. But it is a matter for Legislatures and not for Courts. We are therefore of opinion that the better rule is to hold that such an instrument is a bill of exchange, and hence entitled to grace. We may add that it is always desirable that the decisions of the courts should be in accord with the business usages and customs of the country. Such usages are entitled to special weight on a question like this, for the whole matter of grace on bills and notes had its origin in the usage of bankers. And so far as we are advised, the general practice of bankers in this State has been to treat instruments like this as bills of exchange and not checks."—*Harrison v. Nicollet National Bank*, Minnesota Supreme Court, Oct. 18, 1889.

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Nov. 16.

Judicial Abandonments.

Euclide Bernard, trader, parish of Beceil, Nov. 8.
Maurice Bernard, trader, parish of St. Germain de Grantham, Nov. 6.

Frank Decost and Thomas Decost, pump manufacturers, Salaberry de Valleyfield, Nov. 5.

Louis Ovide Roy, trader, St. François, Nov. 13.

Curators appointed.

Re J. W. Barrette, Montreal.—C. Desmarteau, Montreal, curator, Nov. 8.

Re Michel Bertrand, Montreal.—C. Desmarteau, Montreal, curator, Nov. 12.

Re Jos. Beaulieu & Cie., Quebec.—H. A. Bedard, Quebec, curator, Nov. 14.

Re W. Brière, St. Monique.—Kent & Turcotte, Montreal, joint curator, Nov. 6.

Re James G. Davie, Montreal.—C. Desmarteau, Montreal, curator, Nov. 13.

Re E. & T. Decost, Salaberry de Valleyfield.—R. S. Joron, Salaberry de Valleyfield, curator, Nov. 11.

Re Joseph Donati, jeweller, Quebec.—N. Matte, Quebec, curator, Nov. 11.

Re Field Bros. & Co., Montreal.—A. W. Stevenson, Montreal, curator, Nov. 12.

Re P. W. & E. Huot, Montreal.—Kent & Turcotte, Montreal, joint curator, Nov. 9.

Re J. B. A. Lambert, tobacconist, Quebec.—H. A. Bedard, Quebec, curator, Nov. 12.

Re J. A. Laguerrier, Ste. Thérèse.—Bilodeau & Renaud, Montreal, joint curator, Nov. 6.

Re F. X. Morency, carpenter, Quebec.—P. Beland, Quebec, curator, Nov. 5.

Re C. Morin & Co., district of Richelieu.—Kent & Turcotte, Montreal, joint curator, Nov. 14.

Re Parker Bros., Scotstown.—Millier & Griffith, Sherbrooke, joint curator, Nov. 11.

Re F. Pennée *et al.*, Quebec.—D. Arcand, Quebec, curator, Nov. 12.

Dividends.

Re Blais & Emond, dry goods, Quebec.—Third and final dividend, payable Dec. 3, H. A. Bedard, Quebec, curator.

Re N. Dion & Cie., Quebec.—Second and final dividend, payable Nov. 25, D. Arcand, Quebec, curator.

Re Frank A. Gross—First and final dividend, payable Nov. 30, J. G. Ross, Montreal, curator.

Re J. & H. Taylor, Montreal.—Second and final dividend, payable Dec. 4, W. A. Caldwell, Montreal, curator.

Re J. H. Warmington.—First and final dividend, payable Dec. 4, A. Mathieu, Montreal, curator.

GENERAL NOTES.

THE CHIEF JUSTICESHIP.—The chief justiceship of the Superior Court of the province has been rendered vacant by the resignation of Sir Andrew Stuart. Public opinion with one accord points to Mr. Justice Johnson as the rightful successor to the honor. He is the senior justice for this district, and one of the ablest occupants of the bench in the province. It would be difficult to adduce stronger claims than his for the position, and the Government would, we are convinced, be doing both a wise and a popular thing by making the promotion.—*Gazette*.