

retention of the draft clause which the hon. gentleman now desires to have inserted in the Bill, and although it is perfectly true that we should, as a rule, follow as nearly as we can the English law, still, if the English law is in itself not applicable to our condition, I do not think we are bound to adopt it. If hon. gentlemen will look at clause 24 of this Bill they will find that the clause which the hon. gentleman wishes to insert is an exception to the general principle governing the Bill. The general rule is, that the holder is responsible, and I do not see why an exception should be made in favor of the banks. They have facilities and skill which enable them to protect themselves better than others could.

HON. MR. OGILVIE—If that clause were adopted, it would be unsafe to send cheques payable to order anywhere, as is now done all over the country; because, if a letter were to get into other hands, and the endorsement of the cheque were forged, the fraud could not be discovered, because the payment would be in another city altogether.

The amendment was declared lost.

HON. MR. DRUMMOND—I think it ought to be clearly understood that the bank has a legal right—I have heard it questioned—to take precautions to satisfy itself as to the validity of signatures and endorsements. If the banks cannot exercise due and proper care, and are responsible, as this Bill makes them, I think it is necessary to insert in the Bill something giving the banks the absolute right to require identification in every case, and perhaps some of the lawyers in the House will say whether that is requisite or not. If there is not a clear opinion on that point I shall feel it necessary to divide the committee on a clause conferring on the bank the power of absolutely identifying the signatures and a certain limit of responsibility—a period beyond which the responsibility does not extend.

The clause was adopted.

HON. MR. McCLELAN, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again.

BILLS INTRODUCED.

Bill (Y) "An Act respecting the Reckoning of Time." (Mr. MacInnes, Burlington).

Bill (Z) "An Act respecting Railways." (Mr. Abbott).

HON. MR. POWER—I presume that is substantially the same Bill that was introduced by the hon. gentleman from Monck and defeated in the other House. Have the Government repented of their action?

The Senate adjourned at 6 o'clock.

THE SENATE.

Ottawa, Friday, April 11th, 1890.

THE SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THIRD READING.

Bill (91) "An Act to grant certain powers to the Chambly Manufacturing Company." (Mr. Pelletier).

REPORTED FROM COMMITTEE.

Bill (89); "An Act to amend the Act to incorporate the River Detroit Railway Bridge Company." (Mr. McKindsey).

PONTIAC AND PACIFIC JUNCTION RAILWAY CO.'S BILL.

REPORTED FROM COMMITTEE.

HON. MR. DICKEY, from the Committee on Railways, Telegraphs and Harbors, reported Bill (87) "An Act respecting the Pontiac and Pacific Junction Railway Company," without any amendment. He said: A member of the committee stated that it was his desire to move certain amendments to this Bill at this stage, and if he still persists in that determination I quite admit that he ought to have an opportunity, in order that he may do so, to give the necessary notice.

HON. MR. VIDAL—I shall avail myself of my unquestionable privilege to move the third reading of the Bill presently, leaving it to any hon. member to move whatever amendment he may think fit.