

Greater uniformity in the laws of this Dominion was the wish of the fathers of Confederation, and some progress has been made in that direction. It should receive greater attention than it does from our legislators. We have perhaps done more than has been done by our neighbours, but much remains to be done. The subject is much discussed in recent legal journals, especially with reference to negotiable instruments. We have accomplished something in that direction, but there are other branches of the law which need similar attention here; and nothing would tend more to unification of the Dominion than uniformity in legislation.

#### POST-DATED CHEQUES.

The law relating to post-dated cheques is by no means well settled. In a recent case before Mr. Justice Scrutton (*Hulley v. Peacock*, Oct. 25) the defence of infancy was set up in an action by the holder of a post-dated cheque against the drawer. This defence was successful, and the case is referred to only because a mere passing mention of *Forster v. Mackreth* (16 L.T. Rep. 23; L. Rep. 2 Ex. 163) seems to have been considered a sufficient statement of the law relating to post-dated cheques. Now *Forster v. Mackreth* merely decided that the post-dated cheque there sued on could not in substance be distinguished from a bill of exchange at seven days' date, and it was accordingly treated as a bill of exchange and not as a cheque. *Forster v. Mackreth* is not an authority for the general proposition that a post-dated cheque is a bill of exchange properly so-called and not a cheque.

A post-dated cheque is, in fact, an instrument sui generis, being in some respects a bill of exchange payable at a future time and in other respects a cheque payable on demand. The principal sections of the Bills of Exchange Act, 1882, that are relevant are ss. 3, 13, and 73. S. 3 defines bills of exchange generally as unconditional orders to pay "on demand or at a fixed or determinable future time." S. 13 has reference to the date on bills; it enacts that the expressed date is to be deemed