

# DIGEST OF MERCANTILE LAWS

## OF

### CANADA AND NEWFOUNDLAND.

#### CHAPTER I.

#### INTRODUCTORY.

**1** In this volume constitutional and international law will not be dealt with, neither will municipal nor school laws be touched; but the single aim has been to present in condensed form a reliable digest of the mercantile laws of Canada and Newfoundland.

**2 Legislative Bodies.**—In Great Britain, the Imperial Parliament including the House of Commons and the House of Lords. In Canada, the Dominion Parliament, including the House of Commons and Senate, and a Legislative Assembly for each of the Provinces. In the United States, Congress, including the House of Representatives and Senate, and the various State Legislatures.

But besides these great legislative bodies in each country there are various other minor corporations possessing extensive legislative powers. Every city, town, county, township, and incorporated village has power conferred upon it by Parliament to pass by-laws which have the full force of statute law within their jurisdiction.

In Canada all authority is divided between the Dominion Parliament and the Legislative Assemblies of the different Provinces. The Legislative Assemblies have delegated to county, township, city, town and school corporations certain legislative powers for the purposes of local self-government.

Incorporated companies, lodges, and various associations working under Government charter, also have power to pass by-laws and adopt constitutions or measures that bind their members in all things pertaining to the association or company as firmly as they would be by the national laws.

Therefore, members of such associations must not forget that they are required in all matters pertaining to them to comply with their regulations, and in case of any supposed wrong they must first exhaust the machinery which those regulations provide for the redress of grievances before taking the case to court for suit.

**3 Divisions of Law.**—The two great divisions of law are: (1) Common Law; (2) Statute Law.

Besides these two grand divisions of the law there are various other divisions used because of the different objects to which the law applies, as Civil, Criminal, Mercantile, Marine, Constitutional, International, Military Canon or Ecclesiastical Law, etc.