

of the opinion of a learned judge of the Province of Quebec, and his opinion was that the exception in favor of Quebec to the general tenor of this Act, was to be regretted. I have, since that notice was given, again seen the learned judge I have referred to, and he is of the opinion that the notice of motion that I have given is one that should be adopted by this honorable House. I have further to say, as some alarm seems to have existed in the minds of the notarial profession by what naturally is a misapprehension of the nature of the Bill, I had a call from a notary of Quebec, who had been deputed by the profession to look into this matter, and, after a discussion of the amendment with him, he professed himself entirely satisfied with my view of the matter, and, as I understood him, was agreeable to the change I propose.

HON. MR. BOLDUC—I could understand to object of my hon. friend's motion more easily, if by it he proposed to do away with the clause 48, for by that clause I see it is provided :

“ Subject to the provisions of this Act, when a bill has been dishonored by non-acceptance or by non-payment, notice of dishonor must be given to the drawer and each endorser, and any drawer or endorser to whom such notice is not given is discharged ; Provided, &c.”

So that even if the amendment passed the holder of a bill or promissory note will have to give notice anyway. In the Province of Quebec we have always been in the habit of giving notarial notice, so that when there is a law-suit and the holder of a promissory note is bound to go before the courts, he has an authentic proof that the notice has been given ; and in almost all cases it has been proved that the expenses are less by protesting through a notary than to keep one or two witnesses in the court sometimes two or three days to give evidence that notice had been served. I do not know that it is the same thing in all the Provinces, but in the Province of Quebec when there is no notarial protest the evidence of notice must be given in enquête so that the person employed to give notice is detained two or three days, and the expenses are always much heavier than if the protest is made by a notary. This Bill has been circulated through the whole Province of Quebec, and I understand that almost all the commercial corporations are satisfied with it as it stands,

and would prefer it rather than the amendment proposed by my hon. friend from Montreal. Even Mr. Charlebois, who was deputed by the notarial profession of Quebec to come here and protest against the amendment proposed by my hon. friend, received a telegram while he was here from Mr. McClellan, of Montreal, saying :

“ Have seen Sir Donald Smith, who says amendment must be opposed in Senate.”

And further Mr. Charlebois received while here, the following letter from Mr. Lafrance, of La Banque Nationale, which I will read to the House :—

“ LA BANQUE NATIONALE,
“ QUEBEC, 16th April, 1890.

“ J. A. CHARLEBOIS, Esq., N.P.,

“ DEAR SIR,—I am informed that you are going to Ottawa to oppose the adoption of Hon. Mr. Drummond's amendment to the Bill of the hon. Minister of Justice. Do be kind enough to speak on our behalf to the Minister of Justice to represent to him that the banks in general are satisfied with the system actually in force for protesting notes, &c., and that the Bill on Bills of Exchange and Promissory Notes which has passed the Commons protects our interests in the Province of Quebec and that the modification or amendment proposed by the Hon. Mr. Drummond if accepted will be the cause of considerable embarrassment to the banks, and the holders of negotiable paper will thereby suffer great damage.

“ Yours truly,
“ P. LAFRANCE.
“ Cashier.”

From what I have learned from commercial men and bankers since this notice was given, I believe that the general opinion of the Province of Quebec is strongly opposed to the modification of clause 51 as it now stands. If the commercial corporations and banks of the Province of Quebec had thought fit to object to clause 51 as it is in the Bill, we would have received many petitions asking us to support the amendment of the hon. gentleman ; but he has only been able to read to the House a resolution passed by the Board of Trade of Montreal. I am not surprised at that resolution, because three or four years ago the Board of Trade of Montreal presented a petition to the Quebec Legislature, asking one little favor, which was to do away completely with the notarial profession—about 800 or 900 gentlemen in the Province of Quebec, and to repeal 300 or 400 articles of our Civil Code. There are in this House gentlemen who have a large notarial practice in the Province of Quebec and I am sure that they will all agree with me that the protest made by a notary in nine cases