

1. So much of the thirteenth section of chapter eighty-three of the Revised Statutes of Nova Scotia, third series, intituled : —“ Of Currency,” or of any other Act or Law, or of the Charter of any Bank, in force in Nova Scotia, as prohibits the issue of any Bank Note by any chartered Bank for a less sum than twenty dollars, is hereby repealed; but no chartered Bank in Nova Scotia shall issue any Bank Note for a less sum than four dollars currency of that Province, under the penalty imposed by the said thirteenth section of the said chapter eighty-three, for issuing Notes for a less sum than twenty dollars.

Banks in Nova Scotia may issue notes under \$20, but not under \$4.

### CAP. XIII.

#### An Act to amend the Act imposing Duties on Promissory Notes and Bills of Exchange.

[Assented to 12th May, 1870.]

**W**HEREAS, it is expedient to repeal Sections Eleven and Twelve of the Act passed in the thirty-first year of Her Majesty's reign, chapter nine; Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The said Sections are hereby repealed, and the following Sections substituted therefor :

Sections 11 and 12 repealed.

“ 11. If any person in Canada makes, draws, accepts, indorses, signs, becomes a party to, or pays any Promissory Note, Draft, or Bill of Exchange, chargeable with duty under this Act, before the duty (or double duty, as the case may be) has been paid, by affixing thereto the proper stamp or stamps, such person shall thereby incur a penalty of one hundred dollars, and, save only in the case of payment of double duty, as in the next section provided, such instrument shall be invalid and of no effect in law or in equity, and the acceptance, or payment, or protest thereof, shall be of no effect; and in suing for any such penalty, the fact that no part of the signature of the party charged with neglecting to affix the proper stamp or stamps, is written over the stamp or stamps affixed to any such instrument, or that no date, or a date that does not correspond with the time when the duty ought to have been paid, is written or marked on the stamp or stamps, shall be *prima facie* evidence that such party did not affix it or them, as required by this Act: But no party to, or holder of any such instrument, shall incur any penalty by reason of the duty thereon not having been paid at the proper time, and by the proper party or parties, provided at the time it came into his hands it had affixed to it stamps to the amount of the duty apparently payable upon it, that he had no knowledge that they were not affixed at the proper time

Penalty for not affixing the proper stamps at the proper time.

Presumption in suits for penalty.

Exception in favor of innocent parties.