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1st Session, 4th Parliament, 16 Victoria, 1852.

BILL.

An Act to repeal the Act 13th and 14th Vic., cap. 23, and to make other provision for protesting Foreign Bills of Exchange in that part of this Province called Upper Canada.

Received and Read a first time, Monday, 27th
September, 1852.

Second Reading, Monday, 4th October, 1852.

MR. DIXON.

QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

BILL.

An Act to repeal the Act 13th and 14th of Vic. cap. 23, and to make other provisions for protesting Foreign Bills of Exchange in that part of this Province called Upper Canada.

WHEREAS the Act passed in the third Session held in the 13th and 14th years of Her Majesty's Reign, intituled, *"An Act to amend and explain the Acts therein mentioned relative to Promissory Notes and Bills of Exchange, and to limit the sum to be allowed for the expences of noting and protesting Bills and Notes in certain cases under the Act to regulate the damages on protested Bills of Exchange within this Province,"* has been found to be inconvenient and inapplicable so far as regards Upper Canada; Be therefore enacted, &c.,

Preamble.

13 and 14 V.c., cap. 23, cited.

10 That the said Act shall be and is hereby repealed in so far as regards Upper Canada.

The said Act repealed.

15 II. And whereas, it is expedient to make other provisions respecting the protesting Bills of Exchange: Be it therefore enacted, That from and after the passing of the Act it shall not be lawful for the holder or holders of any Promissory Note, Draft, Order or Inland Bill of Exchange, drawn or made in this Province, to cause the same to be protested.

Inland Bills &c., not to be protested.

20 III. And be it enacted, That it shall be lawful for any holder or holders of any Promissory Note, Draft, Order or Inland Bill of Exchange drawn or made in this Province, if the same shall not be paid on the day on which it shall fall due, to notify the drawer and indorsers thereof.

Holder to notify drawer, &c.

25 IV. And be it enacted, That the said notice, on proof of its being served or mailed at the Post Office of the place where any such Promissory Note, Draft, Order or Inland Bill of Exchange may fall due, on the day after any such Promissory Note, Draft, Order or Inland Bill of Exchange became due, and addressed to the said drawer or indorsers, shall have the same force and effect in law, as the protest and notice thereof by a Notary now have.

Such notice to have the said effect as a Protest now was.

Charge by the holder for such notice.

V. And be it enacted, That it shall be lawful for the holder or holders of any such Promissory Note, Draft, Order or Inland Bill of Exchange as aforesaid, to charge the sum of *seven pence half-penny* for each notice given to the drawer or indorser thereof.

Foreign Bills may be protested.

VI. And be it enacted, That nothing contained in this Act shall prevent the holder or holders of any Foreign Bill of Exchange from protesting or cause the same to be protested, but that the sum to be allowed to any Notary for noting and protesting the same shall be *two shillings and six-pence*, and the further sum of *seven-pence half-penny* for the notice to each of the indorsers thereof, in addition to postages actually paid.

Fees in such case.

Holidays.

VII. And be it enacted, That the birth-day of the Sovereign, Christmas Day, New Year's Day and Good Friday shall be Holidays for the purposes of this Section, and any Promissory Note, Draft, Order or Bill of Exchange falling due on any one of the said days, or on Sunday shall be deemed and taken to be due on the day following such Holiday or Sunday.

Extent of Act.

VIII. And be it enacted, That this Act shall apply only to Upper Canada.