

No. 68.

3d Session, 3d Parliament, 19 Victoria, 1850.

BILL.

An Act to amend and explain the Acts therein mentioned, relative to Promissory Notes and Bills of Exchange.

Received and Read a first time, Wednesday, 5th
June, 1850.

Second Reading, Monday, 10th June, 1850.

Hon. Mr. CAMERON, (of Kent.)

BILL.

An Act to amend and explain the Acts therein mentioned relative to Promissory Notes and Bills of Exchange.

WHEREAS inconvenience has resulted from some of the provisions of the Acts hereinafter mentioned, or from the interpretation put upon them:—Be it therefore enacted, &c. Preamble.

5 That the sum to be allowed and recovered under the fifth section of the Act passed in the twelfth year of Her Majesty's reign, and intituled, "*An Act to regulate the rates of damages on protested Bills of Exchange in Upper Canada,*" for the expenses of noting and protesting any What sum shall be allowed for noting and protesting under sect. 5 of 12 Vict. c. 76, and in what case.
 10 Bill, Draft or Order, drawn by any person in Upper Canada or any person in this Province; or on Promissory Note made or negotiated in Upper Canada, shall in no case exceed *two shillings and sixpence*, currency; and the amount actually paid for postages; nor shall such sum or
 15 any other be allowed or recoverable as aforesaid, unless an action be brought on such Bill, Draft, Order or Promissory Note, and the Protest be used in evidence at the trial.

II. And for the avoidance of doubts as to the true intent and meaning of the seventh section of the Act Section 7 of 12 Vict. c. 22, interpreted.
 20 passed in the twelfth year of Her Majesty's reign, and intituled "*An Act to amend the law regulating Inland Bills of Exchange and Promissory Notes, and the Pro-*
 25 *testing thereof, and foreign Bills in certain cases,*" be it declared and enacted, that it is not and shall not be necessary under the said section that the words, "only, and not otherwise or elsewhere," or words of like import, be inserted in the body of the Bill or Note, or in any acceptance of a Bill or Note, in order to prevent the same from being payable generally or the acceptance from being
 30 general; but if in any Bill or Note, or in the acceptance thereof, the same be made payable at any stated place, it shall be understood to be made payable at such place only, and not otherwise or elsewhere, and the promise or acceptance shall be held to be qualified accordingly.

35 III. And for the removal of doubts under the twenty-fifth section of the Act last aforesaid, be it declared and enacted, that the words "and in the investigation of all facts in actions or suits founded upon Bills or Notes, recourse shall be had in all such Courts to the laws of
 40 England in force at the time of the passing of this Act," Section 25 of 12 Vict. c. 22, interpreted.

in the said section, shall be construed as meaning, that in such investigation recourse shall be had to the laws of England in force at the time of the passing of the Ordinance of the Province of Quebec, made in the twenty-fifth year of the reign of King George the Third, and intituled "*An Ordinance to regulate the proceedings in the 5*
Courts of Civil Judicature, and establish trials by Juries
in actions of a Commercial nature and personal wrongs
to be compensated in damages," and which, under the provisions of the said Ordinance, were at the time of the 10
passing of the said Act in force in Lower Canada with regard to the proof of facts concerning Commercial matters.