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Copy has manuscript annotations.

No. 71.

2nd Session, 6th Parliament, 22 Victoria, 1859.

BILL.

An Act to amend the Act 13 & 14 Vic. cap. 23, so as to make the costs of protesting Bills and Notes the same in Lower as it is in Upper Canada.

Received and read, first time, Wednesday, 23rd
February, 1859.

Second reading, Monday, 28th Feby., 1859.

MR. WHITNEY.

TORONTO :

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to amend the Act 13 & 14 Vict., c. 23, so as to make the costs of protesting Bills and Notes the same in Lower as it is in Upper Canada.

WHEREAS it is expedient to make the costs of protesting Bills and Notes the same in Lower Canada as it is in Upper Canada; Therefore Her Majesty, &c., enacts as follows:

I. The second section of the Act passed in the session held in the thirteenth and fourteenth years of Her Majesty's Reign, chapter twenty-three, is hereby repealed.

Sect. 2, of 13 & 14 Vic., ch. 23, repealed.

Under this section proposed to be repealed 5% Cy. for noting & protesting 2/6 Cy. for each notice & postages actually paid.

II. The sum to be allowed to any Notary, for noting and protesting in Lower Canada, any Bill of Exchange, Draft, Order, or Promissory Note, shall hereafter be two shillings and six pence, currency, with a further sum of one shilling and three pence, currency, and no more, for each notice, in addition to postages actually paid.

Costs of noting and protesting in L. C.

This Act merely proposes to assimilate the costs of protesting - not to make any other alteration - At present the law as to costs stands thus: -

	L. C.	U. C.
	13 & 14 V. C. 23. S. 2	under 14 & 15 V. C. 94. sec 5. & Sched B
For Protest of Bill or note	5 00	2 06
Each notice	2 06	1 03
& postages actually paid		no mention of postages.

The Act as to L. C. speaks of noting and protesting - the U. C. act speaks of protesting merely, - yet in practice in U. C. Bills & Notes are as a matter of course, noted as well as protested. The noting however in L. C. is by a formal document prescribed by Sched: 1. of 12 Vic: C. 22 which has regulated the notarial system in L. C. - see 12 V. C. 22. sec 9, 10, 12, 18, & the Schedule of Fees & Charges. - I am inclined to think this Bill should also repeal 12 Vic: C. 22. section 18.