

**THE LAW OF BILLS OF  
EXCHANGE AND PROMISSORY  
NOTES,  
BEING AN ANNOTATION OF "THE  
BILLS OF EXCHANGE ACT, 1890"**

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The law of bills of exchange and promissory notes, being an annotation of "The Bills of Exchange Act, 1890" by Edward H. Smythe

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**EDWARD H. SMYTHE**

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"THE BILLS OF EXCHANGE ACT, 1890"

BY  
*EDWARD H. SMYTHIE, LL.D.*

One of Her Majesty's Counsel

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*"Sed etiam legibus oportet esse armatum."*

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**Toronto**

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TO  
THE HON. SIR JOHN S. D. THOMPSON, K.C.M.G., Q.C., P.C.  
MINISTER OF JUSTICE OF THE DOMINION  
WHOSE SKILFUL LABOURS IN THE  
UNIFICATION OF THE LAWS RESPECTING NEGOTIABLE INSTRUMENTS  
HAVE BENEFITED ALIKE  
CANADIAN COMMERCE AND JURISPRUDENCE  
THIS WORK  
IS BY KIND PERMISSION RESPECTFULLY DEDICATED



## PREFACE.

My design has been to present to the practitioner an annotated copy of "The Bills of Exchange Act, 1890"; to collate the different sections which explain and illustrate each other; and to draw special attention to the alterations in the law introduced by the Act.

It will readily be perceived from its small compass that I have not in the course of this work attempted an exhaustive treatise upon the subject of "Bills and Notes." The valuable works of Byles Daniel, Chitty and others, so fully cover the whole ground that at the present it would seem unnecessary to do so.

One of the principal proofs of the utility and excellence of the codification effected by the English Act, is the infrequency of litigation upon its construction since it came into force on the 18th August, 1882. I have collected all the English decisions in the Law Reports upon this subject and find less than a dozen cases reported.

I have read all the recent Ontario decisions and many of the older ones, and with the exception of such as are over-ruled or obsolete, they will in general be found cited in their appropriate places in the course of the work. Only in a few instances have I ventured, and even then with great diffidence, upon suggestions of my own.

On a revision of the volume after it has gone to press I am conscious that I could introduce improvements, and I am not so vain as to anticipate that my work will escape the criticisms of others; I hope to take advantage of these, as well as of my own researches, in a future edition. In the meantime I crave the indulgence of the public, and especially of the profession to which I have the honour to belong.

I cannot conclude without acknowledging my deep obligation to Mr. Colin Fraser, B.A., Barrister, Toronto, for his valuable assistance in reading and correcting my proof.

EDW. H. SMYTHE.

KINGSTON, ONT., November, 1890.