

The right of recovery is of as much money as at the time of verdict, will purchase, etc. *Bryden v. Taylor*, 2 H. & J. 401.

This section does not embrace a bill of exchange drawn on a foreign government. A bill drawn by one government on another, is not governed by the law merchant, and hence is not subject to protest and consequential damages. *United States v. Bank of United States*, 5 How. 382.

The fifteen per cent. damages provided by this section is not a penalty, but is in lieu of re-exchange. This section is founded on equitable considerations, although the rule of damages may be considered arbitrary, as it does not yield to circumstances. *United States v. Bank of United States*, 2 How. 734.

1904, art. 13, sec. 2. 1888, art. 13, sec. 2. 1860, art. 14, sec. 2. 1785, ch. 38, sec. 1.

2. If any endorser of such bill shall pay to the owner or holder of such bill the value of the principal, and the damages and interest aforesaid, he shall have the right to recover the sum paid, with legal interest upon the same, from the drawer or any other person, corporation or company liable to such endorser, upon such bill of exchange.

Unless the endorser has paid the damages prescribed by section 1, he is not entitled to recover such damages. *United States v. Bank of United States*, 2 How. 734; *United States v. Bank of United States*, 5 How. 396.

*Ibid.* sec. 3. 1888, art. 13, sec. 3. 1860, art. 14, sec. 3. 1785, ch. 38, sec. 2.

3. All inland bills of exchange or orders drawn by a citizen, company or corporation of any other State, district or territory, or any person therein residing, or being, on any person, company or corporation of this State, or any person therein residing or being, shall be liable to official protest by a notary public, or by the clerk of the circuit court for the county, who is hereby vested with power to make such protest under his seal of office, and the clerk shall receive therefor, from the person requiring the same, the sum of one dollar.

*Ibid.* sec. 4. 1888, art. 13, sec. 3. 1860, art. 14, sec. 4. 1785, ch. 38, sec. 3.

4. The owner or holder of any bill of exchange drawn in this State upon any person, company or corporation in any other State, district or territory of the United States, and protested according to the laws or customs of the place where such bill shall be made payable, shall be entitled to recover so much current money as will produce a good bill of exchange at the current exchange of such bills, and also eight per cent. damages upon the value of the principal sum mentioned in such bill, and costs of protest, together with legal interest upon the value of the principal sum therein mentioned, from the time of protest until the principal and damages are paid and satisfied.

*Ibid.* sec. 5. 1888, art. 13, sec. 5. 1860, art. 14, sec. 5. 1785, ch. 38, sec. 3.

5. If any endorser of any such bill shall pay to the owner or holder thereof the value of the principal and the damages and interest aforesaid, such endorser shall have a right to recover the sum paid, with legal interest upon the same, from the drawer or any person, company or corporation liable to such endorser upon such bill of exchange.