

But when an instrument has been materially altered and is in the hand of a holder in due course, not a party to the alteration, he may enforce payment thereof according to its original tenor.

The last clause of this section changes the prior existing law. This section has no application to a note executed prior to its adoption. *Schwartz v. Wilmer*, 90 Md. 143.

An. Code, 1924, sec. 144. 1912, sec. 144. 1904, sec. 144. 1898, ch. 119.

**144.** Any alteration which changes:

1. The date;
2. The sum payable, either for principal or interest;
3. The time or place of payment;
4. The number or the relations of the parties;
5. The medium or currency in which payment is to be made;

Or which adds a place of payment where no place of payment is specified, or any other change or addition which alters the effect of the instrument in any respect, is a material alteration.

#### **CHAPTER X.—Bills of Exchange; Form and Interpretation.**

An. Code, 1924, sec. 145. 1912, sec. 145. 1904, sec. 145. 1898, ch. 119.

**145.** A bill of exchange is an unconditional order in writing addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time, a sum certain in money to order or to bearer.

A check is a negotiable instrument. *Dean v. Eastern Shore Trust Co.*, 159 Md. 216. See notes to sec. 160.

An. Code, 1924, sec. 146. 1912, sec. 146. 1904, sec. 146. 1898, ch. 119.

**146.** A bill of itself does not operate as an assignment of the funds in the hands of the drawee available for the payment thereof, and the drawee is not liable on the bill unless and until he accepts the same.

An. Code, 1924, sec. 147. 1912, sec. 147. 1904, sec. 147. 1898, ch. 119.

**147.** A bill may be addressed to two or more drawees jointly, whether they are partners or not; but not to two or more drawees in the alternative or in succession.

An. Code, 1924, sec. 148. 1912, sec. 148. 1904, sec. 148. 1898, ch. 119.

**148.** An inland bill of exchange is a bill which is, or on its face purports to be, both drawn and payable within this State. Any other bill is a foreign bill. Unless the contrary appears on the face of the bill, the holder may treat it as an inland bill.

An. Code, 1924, sec. 149. 1912, sec. 149. 1904, sec. 149. 1898, ch. 119.

**149.** Where in a bill drawer and drawee are the same person, or where the drawee is a fictitious person, or a person not having capacity to contract, the holder may treat the instrument, at his option, either as a bill of exchange or a promissory note.

An. Code, 1924, sec. 150. 1912, sec. 150. 1904, sec. 150. 1898, ch. 119.

**150.** The drawer of a bill and any indorser may insert thereon the name of a person to whom the holder may resort in case of need—that is to say, in case the bill is dishonored by non-acceptance or non-payment.