1097. — If the maker does not on presentation sign the promissory note as provided by section 1095, the holder and the indorsers have a right of recourse against the prior parties, provided that they comply with the provision of sections 1011 to 1027 concerning bills of exchange, *mutatis mutandis*.

1098. — If the holder fails to have a protest made, he loses his right of recourse against all prior parties except the maker.

CHAPTER IV.

CHEQUES.

[Part] I. — GENERAL PROVISIONS.

1099. — A cheque is a written instrument by which a person, called the drawer, orders a banker to pay a sum of money to or to the order of another person called the payee.

1100. — A cheque must be dated, signed by the drawer, and must contain the following particulars :

1) A sum certain in money;

2) The name or trade name and address of the banker;

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1097.—If the maker does not on presentation sign the promissory note as provided by section 1095, the holder and the indorsers have a right of recourse against the prior parties, provided that they comply with the provision of sections 1011 to 1027 concerning bills of exchange, *mutatis mutandis*.

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1) A sum certain in money ;

2) The name or trade name and address of the banker ;

3) The name or trade name of the payee;

4) An unconditional order to pay.

1101. — The provisions of Chapter II concerning bills of exchange apply to cheques, *mutatis mutandis,* in so far as they are not contrary to the provisions of this Chapter IV.

1102. — A cheque can be drawn payable to bearer, or payable to the drawer.

If no payee is named in the cheque, it is payable to bearer.

1103. — A cheque is payable on demand.

1104. — No reference to a day of maturity can be inserted in a cheque.

1105. — A cheque which contains a reference to a day of maturity, such as "on demand" or "on such day," etc., is a bill of exchange.

1106. — The holder of a cheque must present it for payment to the banker within two months after the date of drawing, otherwise he loses his right of recourse against the prior parties.

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