ANNO SEXTO

GEORGII IV. REGIS.

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C A P. XLII.

An Act for the better Regulation of Copartnerships of certain Bankers in *Ireland*. [10th *June* 1825.]

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to relieve Bankers in* Ireland *from divers Restraints imposed by the Provisions of the Twenty-ninth of* George *the Second, and to render all and each of the Members of certain Copartnerships of Bankers, which may be established, liable to the Engagements of such Copartnerships, and to enable such Copartnerships to sue and be sued in the Name of their Public Officer:* And whereas Societies and Copartnerships of Bankers have been formed, and are now carrying on Business in *Ireland*, under the Authority of the said recited Act: And whereas Doubts have arisen on the Construction of the said recited Act, and it is expedient to make further Provision for the Regulation of such Societies and Copartnerships, and to encourage the further Introduction of *British* Capital into Banking Establishments in *Ireland*; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said recited Act, except so far as relates to any Acts, Matters, and Things had or done under the said recited Act before the passing of this Act, and except so far as the said Act

5 G. 4. c. 73.

Recited Act, 5 G. 4. c. 73. repealed, except as to Matters done

repeals

under or Acts repealed by that Act.

repeals any former Act or Acts, shall be and the same is hereby repealed.

1 & 2 G. 4. c. 72.

II. And whereas an Act was passed in the Session of Parliament holden in the First and Second Year of His present Majesty's Reign, intituled *An Act to establish an Agreement with the Governor and Company of the Bank of* Ireland, *for advancing the Sum of Five hundred thousand Pounds,* Irish *Currency, and to empower the said Governor and Company to increase the Capital Stock or Fund of the said Bank to Three Millions,* and it is expedient that the said last recited Act should be altered and amended, be it further enacted, That from and after the passing of this Act, it shall and may be lawful for any Number of Persons, united or to be united in any Society or Copartnership in *Ireland*, consisting of more than Six in Number, and not having the Establishments or Houses of Business of such Society or Copartnership at any Place or Places less than Fifty Miles distant from *Dublin*, to carry on the Trade and Business of Bankers, in like Manner as Copartnerships of Bankers, consisting of not more than Six in Number, may lawfully do; and to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes, payable on Demand, or at any Time after Date, or after Sight, and to make and issue such Notes or Bills accordingly at any Place in *Ireland*, exceeding the Distance of Fifty Miles from *Dublin*, all the Individuals composing such Societies or Copartnerships being liable and responsible for the due Payment of all such Bills and Notes, in Manner herein-after provided; any thing contained in an Act made in the Parliament of *Ireland*, in the Twenty-first and Twenty-second Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for establishing a Bank, by the Name of the Governor and Company of the Bank of* Ireland, or in the herein-before recited Act of the First and Second Years of His present Majesty's Reign, or in any other Act or Acts, or any Law, Usage, or Custom to the contrary in any-wise notwithstanding.

Societies of Persons more than Six in Number may be Bankers in Ireland at Places Fifty Miles from Dublin, and issue Bills and Notes, every Member being responsible.

Notwithstanding 21 & 22 G. 3. c. 16. (I.) or 1 & 2 G. 4. c. 72.

Societies or Copartnerships may appoint Agents.

III. And be it further enacted, That it shall and may be lawful for any such Society or Copartnership, from Time to Time to have, employ, or appoint any Agent or Agents to do and transact, on behalf of any such Society or Copartnership, all such Business, Matters, and Things as such Society or Copartnership may lawfully do, and as are not contrary to any Act or Acts now in force, and to the Provisions of this Act.

Act not to allow issuing of Notes, or borrowing Money within certain Limits.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable or authorize any such Society or Copartnership, either by any Member or Members thereof, or by their Agent or any other Person on behalf of such Society or Copartnership, to pay, issue, or re-issue at *Dublin*, or within Fifty Miles thereof, any Bill or Note of such Society or Copartnership which shall be payable to Bearer on Demand, or any Bank Post Bill, nor to draw upon any Partner or Agent who may be resident in *Dublin*, or within Fifty Miles thereof, any Bill of Exchange which shall be payable on Demand, or which shall be for less than Fifty Pounds, nor to borrow, owe, or take up, in *England* or

or in *Dublin*, or within Fifty Miles thereof, any Sum or Sums of Money on any Promissory Note or Bill of any such Society or Copartnership payable on Demand, or at any less Time than Six Months from the borrowing thereof, or to make or issue any Bill or Bills of Exchange or Promissory Note or Notes of such Society or Copartnership, contrary to the Provisions of the said recited Acts of the Twenty-first and Twenty-second Years of King *George* the Third, or of the First and Second of His present Majesty, save as provided by this Act in that Behalf.

Persons resident in Great Britain, &c. may be Members of such Copartnerships.

V. Provided always, and be it further enacted, That nothing contained in this Act or in any other Act or Acts shall extend or be construed to prevent any Person or Persons whatever, whether resident in *Great Britain* or *Ireland*, from being or becoming a Member or Members of any such Society or Copartnership in *Ireland* as aforesaid, or from being or becoming a Subscriber and Contributor, or Subscribers and Contributors, to the Stock and Capital of any such Society or Copartnership; and that any such Society or Copartnership which shall or may have been formed or begun to be formed under or by virtue of the Provisions contained in the herein-before recited Acts of the First and Second Years and the Fifth Year of the Reign of His present Majesty, and of which any Person or Persons shall be or shall become a Member or Members, or to which any such Person or Persons shall become a Subscriber or Subscribers or Contributor or Contributors as aforesaid, shall be or be deemed and taken, to all Intents and Purposes, to be a Society or Copartnership of Persons united in *Ireland*, within the true Intent and Meaning of this Act; any thing in this Act or in any other Act or Acts of Parliament, or any Law, Usage, or Custom to the contrary notwithstanding.

Such Banking Partnerships shall deliver and register, at the Stamp Office in Dublin, an Account of the Names of the Firm, the several Partners therein, and the Public Officers thereof.

VI. And be it further enacted, That between the Twenty-fifth Day of *March* in any Year, and the Twenty-fifth Day of *March* following, an Account or Return shall be made out by the Secretary or some other Officer of every such Society or Copartnership, and shall be signed by such Secretary or other Officer, and shall be verified by the Oath of such Officer taken before any Justice of the Peace, (and which Oath any Justice of the Peace is hereby authorized and empowered to administer), according to the Form contained in the Schedule Number One to this Act annexed; and in every such Account or Return there shall be set forth the true Name or Firm of such Society or Copartnership, and also the Names and Places of Abode of all the Partners concerned or engaged in such Society or Copartnership, as the same respectively appear on the Books of such Society or Copartnership, and the Firm and Name of and every Bank or Banks established or to be established by such Society or Copartnership, and also the Names of Two or more Individuals of such Society or Partnership who shall be resident in *Ireland*, each and every of whom shall respectively be considered as a Public Officer of such Society or Copartnership, and the Title of Office or other Description of every such Individual respectively, in the Name of any One of whom such Society or Copartnership shall sue and be sued, as herein-after provided, and also the Name of every Town and Place where any such Bills or Notes shall be issued by any such

Society or Copartnership, or by any Agent or Agents of any such Society or Copartnership; and every such Account or Return shall be produced at the Stamp Office in *Dublin*, and an Entry and Registry thereof shall be made in a Book or Books to be kept for that Purpose at the said Stamp Office, by some Person or Persons to be appointed for that Purpose by the Commissioners of Stamp Duties; and if, after the passing of this Act, any such Society or Copartnership shall omit or neglect to deliver at the Stamp Office in *Dublin* such Account and Return as is by this Act required, such Society or Copartnership shall, for each and every Week they shall so neglect to make such Account and Return, forfeit the Sum of Five hundred Pounds.

Stamp Office shall give Certificates of such Entry, to be in force to 25th March ensuing.

VII. And be it further enacted, That whenever any Entry and Registry of the Firm or Name of any such Society or Copartnership shall be made at the Stamp Office, in Manner aforesaid, at any Time between the Twenty-fifth Day of *March* in any Year, and the Twenty-fifth Day of *March* following, a Certificate of such Entry or Registry shall be granted by the said Commissioners of Stamps, or by some Person deputed and authorized by the said Commissioners for that Purpose, to the Society or Copartnership by or on whose behalf such Entry or Registry shall be made, and such Certificate shall be written on Vellum, Parchment, or Paper, duly stamped with the Stamp required by Law for Certificates to be taken out yearly by any Banker or Bankers in *Ireland*; and a separate and distinct Certificate on a separate Piece of Vellum, Parchment, or Paper, with a separate and distinct Stamp, shall be granted for and in respect of every Town and Place where any such Bill or Note shall be issued by any such Society or Copartnership, or by any Agent or Agents, for or on account of such Society or Copartnership; and every such Certificate shall specify the proper Firm, Style, Title, or Name of such Society or Copartnership, under which such Notes are to be issued, and also the Name of the Town or Place, or the several Towns or Places where such Notes are to be issued, and the Christian and Surname and Place of Abode and Title of Office or other Description of the several Individuals named respectively, as the Public Officers of such Society or Copartnership in the Name of any One of whom such Society or Copartnership shall sue and be sued; and every Certificate shall be dated on the Day on which the same shall be granted, and shall have effect and continue in force from the Day of the Date thereof, until the Twenty-fifth Day of *March* following, both inclusive, and no longer, and shall be sufficient Evidence of the Appointment and Authority of such Public Officers respectively.

Certificates obtained under 5 G. 4. c. 73. shall remain valid to 25th March 1826.

VIII. Provided always, and be it enacted, That any Entry or Registry made, and any Certificate which shall have been obtained before the passing of this Act, at any Time on or after the Twenty-fifth Day of *March*, in pursuance of the herein-before recited Act of the Fifth Year of the Reign of His present Majesty, shall be deemed to all Intents and Purposes as an Entry, Registry, and Certificate made and obtained under this Act, and shall have the like and the same Effect as every such Entry, Registry, or Certificate; and no further

further Entry, Registry, or Certificate shall be necessary in such Case before the Twenty-fifth Day of *March* One thousand eight hundred and twenty-six.

Account and Registry of new Officers or Members in the Course of any Year may be made without further Certificate.

IX. Provided also, and be it enacted, That it shall and may be lawful for the Secretary or other Officer of any such Society or Copartnership, as Occasion may require, from Time to Time, in the Year ending on the Twenty-fifth Day of *March* One thousand eight hundred and twenty-six, and in any succeeding Year, without obtaining any further Certificate for such Year, and without Payment of any further Stamp Duty for such Year, to make out upon Oath, in Manner herein-before directed, an Account or Return of the Name or Names of any new or additional Public Officer or Public Officers, and also the Name or Names of any Person or Persons who may have ceased to be Members of such Society or Copartnership, and also the Name or Names of any Person or Persons who may have become a Member or Members of such Society or Copartnership, either in Addition to or in the Place or Stead of any former Member or Members, in the Form expressed in the Schedule hereunto annexed, marked Number Two; and such Accounts or Returns shall be from Time to Time produced and entered or registered at the Stamp Office in *Dublin*, in like Manner as is herein-before required with respect to the original Account or Return to be made for any such Year, in behalf of such Society or Copartnership.

Societies or Partnerships shall sue and be sued in the Name of their Public Officers.

X. And be it further enacted, That all Actions and Suits, and also all Petitions to found any Sequestration, or any Commission of Bankruptcy, against any Person or Persons who may be at any Time indebted to any such Society or Copartnership, and all Proceedings at Law or in Equity under any Sequestration or Commission of Bankruptcy, and all other Proceedings at Law and in Equity, to be commenced or instituted for or on behalf of any such Society or Copartnership, against any Person or Persons, Bodies Politic or Corporate, or others, whether Members of such Society or Copartnership or otherwise, for recovering any Debts or enforcing any Claims or Demands due to such Society or Copartnership, or for any other Matter relating to the Concerns of such Society or Copartnership, shall and lawfully may, from and after the passing of this Act, be commenced or instituted and prosecuted in the Name of any One of the Public Officers nominated as aforesaid for the Time being of such Society or Copartnership, as the nominal Plaintiff or Petitioner for and on behalf of such Society or Copartnership; and that all Actions or Suits and Proceedings at Law or in Equity, to be commenced or instituted by any Person or Persons, Bodies Politic or Corporate, or others, whether Members of such Society or Copartnership or otherwise, against such Society or Copartnership, shall and lawfully may be commenced, instituted, and prosecuted against any One of the Public Officers nominated as aforesaid for the Time being of such Society or Copartnership, as the nominal Defendant for and on behalf of such Society or Copartnership; and that all Indictments, Informations, and Prosecutions, by or on behalf of such Society or Copartnership, for any Stealing or Embezzlement of any Money, Goods, Effects, Bills, Notes, Securities, or other Property

of or belonging to such Society or Copartnership, or for any Fraud, Forgery, Crime, or Offence committed against or with Intent to injure or defraud such Society or Copartnership, shall and lawfully may be had, preferred, and carried on in the Name of any One of the Public Officers nominated as aforesaid for the Time being of such Society or Copartnership; and that in all Indictments and Informations to be had or preferred by or on behalf of such Society or Copartnership, against any Person or Persons whomsoever, notwithstanding such Person or Persons may happen to be a Member or Members of such Society or Copartnership, it shall be lawful and sufficient to state the Money, Goods, Effects, Bills, Notes, Securities, or other Property of such Society or Copartnership, to be the Money, Goods, Effects, Bills, Notes, Securities, or other Property of any One of the Public Officers nominated as aforesaid for the Time being of such Society or Copartnership; and that any Forgery, Fraud, Crime, or other Offence committed against or with Intent to injure or defraud such Society or Copartnership, shall and lawfully may in such Indictment or Indictments, notwithstanding as aforesaid, be laid or stated to have been committed against or with Intent to injure or defraud any One of the Public Officers nominated as aforesaid for the Time being of such Society or Copartnership, and any Offender or Offenders may thereupon be lawfully convicted for any such Forgery, Fraud, Crime, or Offence; and that in all other Allegations, Indictments, Informations or other Proceedings of any Kind whatsoever, in which it otherwise might or would have been necessary to state the Names of the Persons composing such Society or Copartnership, it shall and may be lawful and sufficient to state the Name of any One of the Public Officers nominated as aforesaid for the Time being of such Society or Copartnership; and the Death, Resignation, Removal, or any Act of such Public Officer shall not abate or prejudice any such Action, Suit, Indictment, Information, Prosecution, or other Proceeding commenced against or by or on behalf of such Society or Copartnership, but the same may be continued, prosecuted, and carried on in the Name of any other of the Public Officers of such Society or Copartnership for the Time being.

Not more than One Action for the Recovery of One Demand.

XI. And be it further enacted, That no Person or Persons, or Body or Bodies Politic or Corporate, having or claiming to have any Demand upon or against any such Society or Corporation, shall bring more than One Action or Suit in respect of such Demand; and the Proceedings in any Action or Suit by or against any One of the Public Officers nominated as aforesaid for the Time being of such Society or Copartnership, may be pleaded in bar of any other Action or Actions, Suit or Suits, for the same Demand, by or against any other of the Public Officers of such Society or Copartnership.

Parties obtaining Judgment in Ireland may authorize the Acknowledgment of like Judgment in Great Britain.

XII. And be it further enacted, That it shall and may be lawful for any Person or Persons obtaining a Judgment in any of His Majesty's Courts of Record in *Dublin*, against any such Public Officer for the Time being of any such Society or Copartnership; and such Person or Persons is and are hereby empowered, by Warrant under Hand and Seal, reciting the Effect of such Judgment, to authorize any Attorney

Attorney or Attornies in *Great Britain* to appear for such Public Officer in an Action of Debt to be brought in any Court of Record in *Great Britain* against such Public Officer, at the Suit of the Person or Persons obtaining such Judgment in *Ireland*, and thereupon to confess Judgment forthwith in such Action for a Sum equal to the Sum for which Judgment shall have been so obtained in *Ireland*, together with the Costs of such Proceeding; and such Judgment shall be thereupon entered up of Record in the said Court in *Great Britain* against such Public Officer, and shall have the like Effect in *Great Britain* against the Members of such Society or Copartnership as the original Judgment so obtained in *Ireland*.

And in like Manner Parties obtaining Judgment in Great Britain may proceed thereon in Ireland.

XIII. And be it further enacted, That it shall and may be lawful for any Person or Persons obtaining a Judgment in any Court of Law in *Great Britain* against any such Public Officer for the Time being of any such Society or Copartnership in *Ireland*, and such Person or Persons is and are hereby empowered, by Warrant under Hand and Seal, reciting the Effect of such Judgment, to authorize any Attorney or Attornies in *Ireland* to appear for such Public Officer in an Action of Debt, to be brought in any Court of Record in *Ireland* against such Public Officer, at the Suit of the Person or Persons obtaining such Judgment in *Great Britain*, for a Sum equal to the Sum for which Judgment shall have been so obtained in *Great Britain*, together with the Costs of such Proceeding; and such Judgment shall be thereupon entered up of Record in the said Court in *Ireland* against such Public Officer, and shall have the same Effect in *Ireland* against the Members of such Society or Copartnership as the original Judgment so obtained in *Great Britain*.

Decrees and Orders of a Court of Equity against the Public Officer to take Effect against the Society or Copartnership.

XIV. And be it further enacted, That all and every Decree or Decrees, Order or Orders, made or pronounced in any Suit or Proceeding in any Court of Equity, against any Public Officer of any such Society or Copartnership, shall have the like Effect and Operation upon and against the Property and Funds of such Society or Copartnership, and upon and against the Persons and Property of every Member thereof, as if all the Members of such Society or Copartnership were Parties before the Court to and in any such Suit or Proceeding; and it shall and may be lawful for any Court in which such Order or Decree shall have been made, to cause such Order and Decree to be enforced against any, every, or any Member of such Society or Copartnership, in like Manner as if every Member of such Society or Copartnership were Parties before such Court, to and in such Suit or Proceeding.

41 G. 3. and 5 G. 4. to extend to Proceedings to which the Public Officer shall be a Party.

XV. And be it further enacted, That an Act passed in the Forty-first Year of the Reign of King *George* the Third, intituled *An Act for the more speedy and effectual Recovery of Debts due to His Majesty, His Heirs and Successors, in Right of the Crown of the United Kingdom of* Great Britain *and* Ireland, *and for the better Administration of Justice within the same;* and also an Act passed in the Fifth Year of His present Majesty, intituled *An Act to amend an Act of the Forty-first Year of the Reign of His late Majesty King* George *the Third, for the more speedy and effectual Recovery of Debts due to*

to His Majesty, His Heirs and Successors, in Right of the Crown of the United Kingdom of Great Britain *and* Ireland, *and for the better Administration of Justice within the same,* shall extend to all Suits, Matters, and Proceedings in any Court of Equity in *England* or *Ireland*, in which any Public Officer of such Society or Copartnership shall be a Party, in like Manner as if all the Members of such Society or Copartnership were Parties before the Court in such Suits, Matters, and Proceedings.

Decrees, Judgments, and Orders to be registered, and have Effect in Scotland.

XVI. And be it further enacted, That it shall and may be lawful for any Person or Persons obtaining any Judgment in any Court of Law, or Decree or Order in any Court of Equity, against any Public Officer of any such Society or Copartnership, to produce an Office Copy of such Judgment, Decree or Order, under the Seal of the Court in which Judgment, Decree, or Order shall have been obtained, to One of the Principal Clerks in the Court of Session in *Scotland*, or his Deputy, for Registration there, and such Judgment, Decree, or Order shall thereupon be registrable and registered there, in like Manner as a Bond executed according to the Law of *Scotland*, with a Clause of Registration therein contained, and Execution may and shall pass upon a Decree to be interponed thereto, in like Manner as Execution passes upon a Decree interponed to such Bond, and shall have the like Effect upon and against all and every or any of the Members of such Society or Copartnership, as if such Members had executed such Bond.

Judgments against such Public Officer in such Actions shall operate against the Society or Copartnership.

XVII. And be it further enacted, That all and every Judgment and Judgments which shall at any Time after the passing of this Act be had or recovered or entered up as aforesaid in any Action, Suit, or Proceedings in Law or Equity against any Public Officer of any such Society or Copartnership, shall have the like Effect and Operation upon and against the Property of such Society or Copartnership, and upon and against the Property of every Member thereof, as if such Judgment or Judgments had been recovered or obtained against such Society or Copartnership themselves; and that the Bankruptcy, Insolvency, or stopping Payment of any such Public Officer for the Time being of such Society or Copartnership in his Individual Character or Capacity, shall not be nor be construed to be the Bankruptcy, Insolvency, or stopping Payment of such Society or Copartnership, and that such Society or Copartnership, and every Member thereof, and the Capital Stock and Effects of such Society or Copartnership, and the Effects of every Member of such Society or Copartnership, shall in all Cases, notwithstanding the Bankruptcy, Insolvency, or stopping Payment of any such Public Officer, be attached and attachable, and be in all respects liable to the lawful Claims and Demands of the Creditor and Creditors of such Society or Copartnership, as if no such Bankruptcy, Insolvency, or stopping Payment of such Public Officer of such Society or Copartnership had happened or taken place.

Execution upon Judgment in any such Action

XVIII. And be it further enacted, That Execution upon any Judgment in any Action obtained against any Public Officer for the Time being, of any such Society or Copartnership, whether as

Plaintiff or Defendant, may be issued against any Member or Members for the Time being of such Society or Copartnership; and that in case any such Execution against any Member or Members for the Time being of such Society or Copartnership shall be ineffectual for obtaining Payment and Satisfaction of the Amount of such Judgment, it shall be lawful for the Party or Parties so having obtained Judgment against such Public Officer for the Time being, to issue Execution against any Person or Persons who was or were a Member or Members of such Society or Copartnership at the Time when the Contract or Contracts, or Engagement or Engagements on which such Judgment may have been obtained, was or were entered into: Provided always, that no such Execution as last-mentioned shall be issued without Leave first granted, on Motion in open Court, by the Court in which such Judgment shall have been obtained, and which Motion shall be made on Notice to the Person or Persons sought to be charged, nor after the Expiration of Three Years next after any such Person or Persons shall have ceased to be a Member or Members of such Society or Copartnership.

may be issued against any Member of the Society or Copartnership.

XIX. Provided always, and be it enacted, That every such Public Officer, in whose Name any such Suit or Action shall have been commenced, prosecuted, or defended, and every Person or Persons against whom Execution upon any Judgment obtained or entered up as aforesaid in any such Action shall be issued as aforesaid, shall always be reimbursed and fully indemnified for all Loss, Damages, Costs, and Charges, without Deduction, which any such Officer or Person may have incurred by reason of such Execution, out of the Funds of such Society or Copartnership, or in failure thereof, by Contribution from the other Members of such Society or Copartnership, as in the ordinary Cases of Copartnerships.

Officer, &c. in such Cases indemnified.

XX. And be it further enacted, That if any Person or Persons being a Member or Members of any Copartnership of Bankers in *Ireland*, shall steal or embezzle any Money, Goods, Effects, Bills, Notes, Securities, or other Property of or belonging to such Society or Copartnership, or shall commit any Fraud, Forgery, Crime, or Offence against or with Intent to injure or defraud such Society or Copartnership, such Member or Members shall be liable to Indictment, Information, Prosecution, or other Proceeding, in the Name of any One of the Public Officers nominated for the Time being of such Society or Copartnership, for every such Fraud, Forgery, Crime, or Offence, and may thereupon be lawfully convicted, as if such Person or Persons had not been, or was or were not a Member or Members of such Society or Copartnership; any Law, Usage, or Custom to the contrary notwithstanding.

Members may be indicted for Fraud on Societies or Copartnerships.

XXI. And be it further enacted, That this Act and the Powers and Provisions herein contained shall extend and be at all Times construed to extend to any Society or Copartnership for Banking in *Ireland*, consisting of more than Six Persons in Number, and to the Members thereof for the Time being, during the Continuance of such Society or Copartnership, whether the same do or shall consist

Act extended to existing Partners for the Time being.

of all or some only of the Persons who originally were, or at the Time of the passing of this Act may have subscribed to, or may be Members of any such Society or Copartnership, or of all or some only of those Persons, together with some other Persons, or entirely of some other Persons, all of whom became or may become Members of such Society or Copartnership, at any Time after the original Institution thereof, or subsequent to the passing of this Act.

Members of Societies or Copartnerships may transfer Shares, and such Transfers shall be registered at the Stamp Office;

XXII. And be it further enacted, That it shall and may be lawful for any and every Member of any and every such Society or Copartnership, their respective Executors, Administrators, and Assigns, to sell and transfer any Share or Shares, or Portion or Portions of, or the entire Stock or Interest which any such Member respectively is or may be respectively entitled to or possessed of in such Society or Copartnership, and the Property and Funds thereof, subject to such Regulations and under such Restrictions as may be required by the Constitution of such Society or Copartnership; and whenever any such Sale and Transfer shall be made, a Return or Account thereof, in the Form set forth in the Schedule, marked Number Three, to this Act annexed, shall be made upon Oath, in Manner herein-before directed by the Secretary or other Officer of such Society or Copartnership, and shall be from Time to Time produced, entered, and registered at the Stamp Office in *Dublin*, in the Book containing the then last Register of such Society or Copartnership; and the Person or Persons to whom such Transfer shall be made shall be and stand, in all Respects and to all Intents and Purposes, in the Place and Stead of the Person or Persons making such Transfer: Provided always, that nothing herein contained shall be deemed, taken, or construed to discharge or release any Member or Members making any such Transfer as aforesaid, of or from the being liable to or responsible for the due Payment of the Bills, Notes, and other Engagements of such Society or Copartnership, existing at the Time of the Entry or Register of such Transfer, or of or from any Action, Suit, Judgment, or Execution in respect of the same, according to the Provisions of this Act: Provided always, that no such Transfer as aforesaid shall take place without the Consent of the Directors for the Time being of any such Society or Copartnership; nor shall any Transfer be valid unless signed by One or more of such Directors, as the Court of Directors for the Time being of such Society or Copartnership may from Time to Time determine, in Testimony of the Court of Directors having consented to such Transfer.

but not to affect their Liability while Members.

Clerks of Bankers embezzling Money, &c. Felony.

XXIII. And be it further enacted, That if any Cashier or Clerk of any Banker or Bankers, or of any Society or Copartnership or Bankers, or of any Merchant or Merchants, or of any Officer or Officers intrusted with the Receipt or Custody of Public Money in *Ireland*, shall without the Consent of such Banker or Bankers, or Society or Copartnership, or Merchant or Merchants, or Officer or Officers, embezzle or take away Money, Cash, Notes, or Securities for Money to the Value of Fifty Pounds Sterling belonging to such Banker or Bankers, or Society or Copartnership, or Merchant or Merchants, or intrusted to the Care of such Officer or Officers, with

with an Intent to defraud such Banker or Bankers, or Society or Copartnership, or Merchant or Merchants, or Officer or Officers, such Cashier or Clerk shall, upon Conviction thereof, be adjudged to be guilty of Felony, and shall be transported for Life or for any Term of Years as the Court before whom such Offender shall be convicted shall think fit to order and adjudge; and every Person who shall receive such Money, Notes, or Securities for Money, from such Cashier or Clerk, knowing them to be so taken away with Intent to defraud such Banker or Bankers, or Society or Copartnership, or Merchant or Merchants, or Officer or Officers, shall be likewise adjudged to be guilty of Felony, and shall be transported for Life, or for any Term of Years as the Court before whom such Offender shall be convicted shall think fit to order and adjudge.

Recovery of Penalties.

XXIV. And be it further enacted, That every Penalty, Forfeiture, and Sum of Money to be forfeited under this Act, by reason of any Omission or Neglect of any of the Regulations herein-before enacted, may be sued for and recovered in any of His Majesty's Courts of Record at *Dublin* by any Person, by Action of Debt, Bill, Plaint, or Information, provided such Action be commenced within Twelve Calendar Months next after such Offence committed, in which Action there shall not be any Essoign, or Wager of Law, nor more than One Imparlance allowed; and all Sums to be recovered shall be applied, one Moiety thereof to the Use of the Person who shall sue for the same, and the other Moiety to the Use of His Majesty, His Heirs and Successors.

Irish Act 19 & 20 G. 3. c. 25. declared not to extend to Bankers.

XXV. And be it declared and enacted, That so much of an Act made in the Parliament of *Ireland* in the Nineteenth and Twentieth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain an Act, intituled 'An Act to prevent Frauds 'committed by Bankrupts,'* whereby it is enacted, that all Mercantile Companies or Partnerships shall set forth in their several Invoices, Bills of Parcels, Promissory Notes and Custom House Entries, the Names of the several Individuals of which such Partnership or Company doth consist, doth not and shall not be construed to extend to any Society or Copartnership of Bankers in *Ireland*; any Custom or Usage to the contrary in anywise notwithstanding.

This Act not to affect Matters otherwise legal.

XXVI. Provided always, and be it enacted, That nothing in this Act contained shall be construed to prevent any such Society or Copartnership from doing any Act, Matter, or Thing which, but for the express Provision of this Act, they would by Law be entitled to do.

SCHE-

SCHEDULE referred to by this Act.

No. 1.

RETURN or Account, to be entered at the Stamp Office in Dublin, in pursuance of an Act passed in the Sixth Year of the Reign of King George the Fourth, intituled [*here insert the Title of this Act*], viz.

Firm or Name of the Banking Society or Copartnership, viz. [*set forth the Firm or Name.*]

Names and Places of Abode of all the Partners concerned or engaged in such Society or Copartnership, viz. [*set forth all the Names and Places of Abode.*]

Names and Places of the Bank or Banks established by such Society or Copartnership, viz. [*set forth all the Names and Places.*]

Names and Descriptions of the Public Officers of the said Banking Society or Copartnership, viz. [*set forth all the Names and Descriptions.*]

Names of the several Towns and Places where the Bills or Notes of the said Banking Society or Copartnership are to be issued by the said Society or Copartnership, or their Agent or Agents, viz. [*set forth the Names of all the Towns and Places.*]

A. B. of Secretary [*or other Officer, describing the Office*] of the above Society or Copartnership, maketh Oath and saith, That the above doth contain the Name, Style, and Firm of the above Society or Copartnership, and the Names and Places of Abode of the several Members thereof, and of the Banks established by the said Society or Copartnership, and the Names, Titles, and Descriptions of the Public Officers thereof, and the Names of the Towns and Places where the Notes of the said Society or Copartnership are to be issued, as the same respectively appear in the Books of the said Society or

or Copartnership, and to the best of the Information, Knowledge, and Belief of this Deponent.

Sworn before me, the Day of
at in the County of
C. D.
Justice of the Peace in and for the said County.

No. 2.

RETURN or Account, to be entered at the Stamp Office in Dublin, on behalf of [*name the Society or Copartnership*], in pursuance of an Act passed in the Sixth Year of the Reign of King George the Fourth, intituled [*insert the Title of this Act*], viz.

Names of any and every new or additional Public Officer of the said Society or Copartnership, viz.

A. B. in the Room of *C. D.* deceased or remvoed, [*as the Case may be*], [*set forth every Name.*]

Names of any and every Person who may have ceased to be a Member of such Society or Copartnership, viz. [*set forth every Name.*]

Names of any and every Person who may have become a new Member of such Society or Copartnership, [*set forth every Name.*]

A. B. of [*Secretary or other Officer*] of the above named Society or Copartnership, maketh Oath and saith, That the above doth contain the Name and Place of Abode of any and every Person who hath become or been appointed a Public Officer of the above Society or Copartnership, and also the Name and Place of Abode of any and every Person who hath ceased to be a Member of the said Society or Copartnership, and of any and every Person who hath become a Member of the said Society or Copartnership since the Registry of the said Society or Copartnership on the Day of last, as the same respectively appear on the Books of the said Society or Copartnership, and to the best of the Information, Knowledge, and Belief of this Deponent.

Sworn, &c.

No. 3.

RETURN or Account, to be entered at the Stamp Office in Dublin, in behalf of [*name the Society or Copartnership*], in pursuance of an Act passed in the Sixth Year of King George the Fourth, intituled [*insert the Title of this Act.*]

C. D. of
assign
of
A. B. of

did on the Day of
Shares in the said Company to *G. B.*

Secretary [*or other Officer*] of the above Society or Copartnership, maketh Oath and saith, That the Assignment above mentioned has been duly made, as appears by the Documents in the Possession of the said

Sworn, &c.

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