

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXII.

An Act to explain Two Acts of His present Majesty, for establishing an Agreement with the Governor and Company of the Bank of *Ireland*, for advancing the Sum of Five hundred thousand Pounds, *Irish* Currency, and for the better Regulation of Copartnerships of certain Bankers in *Ireland*.

[16th *July* 1830.]

WHEREAS by an Act passed in the Parliament in *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, it was amongst other Things enacted, that from and after the passing of the said Act it should not be lawful for any Body Politic or Corporate, erected or to be erected, other than the Corporation thereby intended to be created into a National Bank, or for any other Persons whatsoever united or to be united in Covenants or Partnerships exceeding the Number of Six Persons, to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes payable at Demand, or at any less Time than Six Months from the borrowing thereof, under a Penalty or Forfeiture by such Persons, Bodies Politic or Corporate, of Treble the

21 & 22 G. 3. c. 16.

Sum or Sums so to be borrowed or taken up on such Bill or Bills, Note or Notes, one Moiety thereof to be paid to the Informer, and the other to the Use of His said Majesty, His Heirs and Successors, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Dublin*: And whereas by another Act, passed in the First and Second Years of the Reign of His present Majesty King *George* the Fourth, 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 enlarge the Capital Stock or Fund of the said Bank to Three Millions*, it was amongst other Things enacted, that from and after the passing the same Act it should and might be lawful for any Number of Persons in *Ireland*, united or to be united in Societies or Partnerships, and residing and having their Establishments or Houses of Business at any Place not less than Fifty Miles distant from *Dublin*, to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes payable on Demand, and to make and issue such Notes or Bills accordingly payable on Demand at any Place in *Ireland* exceeding the Distance of Fifty Miles from *Dublin*, the Individuals composing such Societies or Copartnerships being liable and responsible for the due Payment of such Bills or Notes; and such Persons should not be subject or liable to any Penalty for the making or issuing such Bills or Notes, any thing in an Act made in the Parliament of *Ireland* holden 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, to the contrary notwithstanding; provided always, and it was by the now reciting Act further enacted, that no further or other Power, Privilege, or Authority should, previous to the First Day of *January* One thousand eight hundred and thirty-eight, nor until after Payment to the said Governor and Company of all Sum and Sums of Money which then were or thereafter should or might become due to them from Government, be granted to any Copartnership or Society of Persons whatsoever, contrary to the Laws then in force for establishing or regulating the Bank of *Ireland*, save and except the Power of enabling such Societies or Copartnerships as aforesaid, residing and carrying on their Business not less than Fifty Miles from *Dublin*, to sue and be sued in the Name of a Public Officer, should Parliament thereafter think fit to grant such Power; and it was by the now reciting Act lastly enacted, that nothing therein contained should extend or be construed to extend to authorize any Persons exceeding Six in Number, or any Bodies Politic or Corporate, residing or having their Establishments or House of Business within the Distance of Fifty Miles from *Dublin*, to make or issue any Bill or Bills of Exchange, or any Promissory Note or Notes, contrary to the Provisions of the said in part recited Act of the Twenty-first and Twenty-second Years of the Reign of King *George* the Third: And whereas by an Act passed in the Sixth Year of the Reign of His said present Majesty, intituled *An Act for the better Regulation of Copartnerships of certain Bankers in* Ireland, reciting the lastly herein-before recited Act made and passed in the First

1 & 2 G. 4. c. 72.

21 & 22 G. 3. c. 16.

6 G. 4. c. 42.

and Second Years of His said present Majesty's Reign, and that it was expedient that the said last-recited Act should be altered and amended, it was amongst other Things enacted, that from and after the passing of the said Act of the Sixth Year of His said present Majesty's Reign it should and might 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 Copartnerships 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 might 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 or Notes in manner therein-after provided, any thing contained in the said 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, herein-before recited, 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 anywise notwithstanding; and it was by the same Act further enacted, that it should and might be lawful for any such Society or Copartnership from Time to Time to have, employ, or appoint any Agent or Agents to do or transact, on behalf of any such Society or Copartnership, all such Business, Matters, and Things as such Society or Copartnership might lawfully do, and as were not contrary to any Act or Acts then in force, and to the Provisions of the now reciting Act; provided always, and it was by the same Act further enacted, that nothing therein contained should 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 any 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 should be payable to Bearer on Demand, or any Bank Post Bill, nor to draw upon any Partner or Agent who might be resident in *Dublin*, or within Fifty Miles thereof, any Bill of Exchange which should be payable on Demand, or which should be for less Amount than Fifty Pounds, nor to borrow, owe, or take up in *England* 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 any such Society or Copartnership contrary to the Provisions of the said recited Act of the Twenty-first and Twenty-second Years of the Reign of King *George* the Third, or of the First and Second Years of the Reign of His present Majesty, save as aforesaid, save as provided by the now reciting Act in that Behalf; provided always,

and it was by the now reciting Act further enacted, that nothing contained in that Act or any other Act or Acts should 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 should or might 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 an Act, therein recited, made and passed in the Fifth Year of the Reign of His present Majesty, and of which any Person or Persons should be or should become a Member or Members, or to which any such Person or Persons should become a Subscriber or Subscribers or Contributor or Contributors as aforesaid, should 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 the now reciting Act, any thing in the now reciting Act, or in any other Act or Acts, or any Law, Usage, or Custom, to the contrary notwithstanding; provided always, and it was by the now reciting Act lastly enacted, that nothing in the said now reciting Act contained should be construed to prevent any such Society or Copartnership from doing any Act, Matter, or Thing which, but for the express Provision of the now reciting Act, they would by Law be entitled to do: And whereas it hath been doubted whether such Banking Societies or Copartnerships, consisting of more than Six in Number, already created or to be created, and not having their Establishments or Houses of Business not less than Fifty Miles late *Irish* Measurement from *Dublin*, might lawfully pay in *Dublin* their Notes or Bills payable to Bearer on Demand, for the Purpose of withdrawing the same from Circulation in *Dublin*, or within Fifty Miles late *Irish* Measurement thereof; and it is expedient that such Doubt should be removed: Be it therefore enacted and also declared 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 it is and shall be lawful for any Number of Persons united or to be united in any Society or Copartnership in *Ireland* as in and by the said Acts or either of them is mentioned or provided, 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 of the late *Irish* Measurement distant from *Dublin*, to pay in *Dublin*, for the Purpose of withdrawing them from Circulation in *Dublin*, or within Fifty Miles of the late *Irish* Measurement thereof, by any Bankers, Agents, or Correspondents, or any other Person or Persons on behalf of such Society or Copartnership, whether such Bankers, Agents, Correspondents, or other Person or Persons shall be Members or a Member of such Society or Copartnership, any Bills and Notes of such Society or Copartnership made payable to Bearer on Demand, yet so nevertheless that all such Bills and Notes so paid in *Dublin* and withdrawn from Circulation as aforesaid may be re-issued at the Place where such

Copartnership Bankers, within a certain Distance, may pay their Notes in Dublin.

Bills or Notes were originally issued: Provided always, that such Bills or Notes are and shall be originally issued and made payable at some Place or Places, specified in such Bills or Notes, exceeding the Distance of Fifty Miles of the late *Irish* Measurement from *Dublin*, and not elsewhere, and shall not be re-issued within Fifty Miles of the last *Irish* Measurement of *Dublin*.

Copartnership Bankers, paying their Notes in Dublin, not liable to Penalties.

II. And be it further enacted and declared, That no Persons united in any such Society or Copartnerships as aforesaid in *Ireland*, for the Purposes aforesaid, and consisting of more than Six in Number, are or shall, individually or collectively, be subject or liable to any Penalty for or on account of the Payment in *Dublin*, in the Manner aforesaid, of any such Bills or Notes as it is by this Act declared may be lawfully paid in *Dublin*, and which may have been so paid before the passing of this Act.

Notes so paid in Dublin, not to be re-issued there.

III. 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 issue or re-issue, nor to exempt such Society or Copartnership from any Penalties to which they may now be liable for having issued or re-issued, at *Dublin*, or within Fifty Miles thereof of the late *Irish* Measurement, any Bill or Note of such Society or Copartnership 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 of the late *Irish* Measurement thereof, nor to exempt such Societies or Copartnerships from any Penalties to which they may now be liable for having already drawn any Bill of Exchange payable to Bearer on Demand, or which shall be for less Amount than Fifty Pounds.

Not to authorize Bankers to borrow Money contrary to 21 & 22 G. 3.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize and empower any such Societies or Copartnerships to borrow, owe, or take up, nor to exempt any such Societies or Copartnerships from any Penalties they are now liable to for having borrowed, owed, or taken up, in *England* or in *Dublin*, or within Fifty Miles of the late *Irish* Measurement 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, nor 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 the Reign of King *George* the Third, save as provided by the said recited Acts of the First and Second and Sixth Years of the Reign of King *George* the Fourth, and by this Act.

Act not to prejudice present Powers of Bankers.

V. Provided also, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to abridge or prejudice or to put any Construction on the said recited Acts, or any of them, tending to abridge or prejudice any Powers

Powers or Privileges which any such Societies or Copartnerships are authorized and entitled to use or exercise under or by virtue of the herein-before recited Acts or any of them, save and except that no such Societies or Copartnerships are or shall be considered as authorized or empowered by the said recited Acts, or any of them, to issue or re-issue any Notes made payable to Bearer on Demand in *Dublin*, or any Place within Fifty Miles of the late *Irish* Measurement thereof.

Account of new Officers or Places of Banking in the Course of any Year to be made out.

VI. And whereas by the said recited Act passed in the Sixth Year of the Reign of His present Majesty, it was amongst other Things 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 should be made out by the Secretary or some other Officer of every such Society or Copartnership, and should be signed by such Secretary or other Officer, and should be verified by the Oath of such Officer taken before any Justice of the Peace (and which Oath any Justice of the Peace was thereby authorized and empowered to administer) according to the Form contained in the Schedule to that Act annexed, and in every such Account or Return there should 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 Copartnership who should be resident in *Ireland*, each and every of whom should 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 should sue and be sued as hereinafter provided, and also the Name of every Town and Place where any such Bills or Notes should 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 should be produced at the Stamp Office in *Dublin*, and an Entry and Registery thereof should 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 that Act, any such Society or Copartnership should omit or neglect to deliver at the Stamp Office in *Dublin* such Account and Return as was by that Act required, such Society or Copartnership should, for each and every Week they should so neglect to make such Account and Return, forfeit the Sum of Five hundred Pounds; and it was further enacted, that whenever any Entry and Registry of the Firm or Name of any such Society or Copartnership should 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 should be granted by the said Commissioners of Stamps, or by some Person deputed and authorized by the said Commissioners for that Purpose,

Purpose, to the Society or Copartnership by or on whose Behalf such Entry or Registry should be made, and such Certificate should be written on Vellum, Parchment, or Paper duly stamped with a 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, should be granted for and in respect of every Town and Place where any such Bill or Note should 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 should specify the proper Firm, Style, Title, or Name of such Society or Copartnership under which such Notes were to be issued, and also the Name of the Town or Place or the several Towns or Places where such Notes were 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 should sue and be sued; and every Certificate should be dated on the Day on which the same should be granted, and should 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 should be sufficient Evidence of the Appointment and Authority of such Public Officers respectively: And whereas by the said last-recited Act no Provision is made for adding to the Registry, between the Twenty-fifth Day of *March* in any Year and the Twenty-fifth Day of *March* in the succeeding Year, the Name or Names of any additional Public Officer or Public Officers, or of any additional Place or Places where such Societies or Copartnerships may establish a Bank or Banks, or issue the Bills or Notes thereby authorized; be it therefore further enacted, That from and after the passing of this Act it shall and may be lawful to and for such Societies or Copartnerships from Time to Time, and at any Times between the Twenty-fifth Day of *March* in any Year and the Twenty-fifth Day of *March* in the succeeding Year, to make out upon Oath, and cause to be delivered to the Commissioners of Stamps, in manner mentioned in the said last-recited Act of the Sixth Year of the Reign of King *George* the Fourth, a further Account or Return or further Accounts or Returns, according to the Form contained in the Schedule to this Act annexed, of the Name or Names of any Person or Persons who shall have been nominated or appointed a new or additional Public Officer or Public Officers of such Society or Copartnership, or of the Name of any new or additional Town or Towns, or Place or Places, where such Bills or Notes are or are intended to be issued, and where the same are to be made payable, or of both or either of the above Matters together or separately; and such further Accounts or Returns shall from Time to Time be filed and kept and entered and registered at the Stamp Office in *Dublin* in like Manner as is by the said Act of the Sixth Year of the Reign of King *George* the Fourth required with respect to the original or annual Account or Return thereby directed to be made, and that thereupon an additional Certificate

or additional Certificates of such Account and Return or Accounts and Returns shall be granted by the Persons, and in the same Manner, and upon the same Stamps, and containing the same Particulars as in the said recited Act of the Sixth Year of the Reign of His present Majesty particularly mentioned; and which additional Certificate or Certificates shall have effect and continue in force from the Day of the Date thereof until the Twenty-fifth Day of *March* following, and no longer, and shall be sufficient Evidence of the Appointment and Authority of the Public Officers respectively.

Additional Certificates to be granted.

VII. And be it further enacted, That a Copy of any such Account or Return so filed or kept and registered at the Stamp Office as by the said recited Act of the Sixth Year of the Reign of His present Majesty and by this Act is directed, and which Copy shall be certified to be a true Copy under the Hand or Hands of One or more of the Commissioners of Stamps, or other Officer or Officers of the Stamp Office in *London* or *Dublin* for the Time being, upon Proof made that such Certificate has been signed with the Handwriting of the Person or Persons making the same, and whom it shall not be necessary to prove to be a Commissioner or Commissioners, Officer or Officers, shall in all Proceedings, Civil or Criminal, and in all Cases whatsoever, be received in Evidence as Proof of the Appointment and Authority of the Public Officers named in such Account or Return, and also of the Fact that all Persons named therein as Members of such Society or Copartnership were Members thereof at the Date of such Account or Return.

Certified Copies of Returns to be Evidence of the Appointment of the Public Officers, &c.

VIII. And be it further enacted, That the said Commissioners of Stamps or other Officers of the Stamp Office for the Time being shall and they are hereby required, upon Application made to them by any Person or Persons requiring a Copy, certified according to this Act, of any such Account or Return as aforesaid, in order that the same may be produced in Evidence, or for any other Purpose, to deliver to the Person or Persons so applying for the same such certified Copy, he, she, or they paying for the same the Sum of Ten Shillings, and no more.

Commissioners of Stamps to give certified Copies of Returns, on Payment of 10*s*.

IX. And whereas Doubts have arisen as to the Mode and Times at which the Societies or Copartnerships authorized by the said recited Act of the Sixth Year of the Reign of King *George* the Fourth, by the Terms of the said Act, are required to make a Return or Account of the Sales and Transfers of their Shares; be it therefore further enacted and declared, That it is and shall be the true Intent and Meaning of the said recited Act of the Sixth Year of the Reign of King *George* the Fourth, that such Societies and Copartnerships are not and shall not be liable or obliged to make any Return or Account to the Stamp Office in *Dublin* of any Sale or Transfer of their Shares which shall take place between the Twenty-fifth Day of *March* in any Year and the Twenty-fifth Day of *March* in the succeeding Year; but the said Societies or Copartnerships shall only be liable and obliged to make an Account or Return to the Stamp Office in *Dublin* Once in every Year in the Manner and containing the Particulars in the said Act mentioned.

Explaining the Time at which Societies are to make Returns to the Stamp Office.

SCHEDULE.

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

NAMES of any and every new or additional Public Officer of the said Society or Copartnership; videlicet,

A. B. in Room of *C. D.* deceased *or* removed, *or* in addition to *C. D.* and *E. F.* [*as the Case may be; set forth every Name.*]

NAMES of any additional Town or Place or Towns or Places where Bills or Notes are to be issued, and where the same are to be made payable:

[*Set forth the Names.*]

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 every Person who hath become or been appointed a Public Officer of the above Society or Copartnership since the Registry [*or* last Account or Return] 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 before me, the Day of in the County of .

C. D. Justice of the Peace in and for the said County.

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