ANNO SEPTIMO

GEORGII IV. REGIS.

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CAP. XLVI.

An Act for the better regulating Copartnerships of certain Bankers in *England;* and for amending so much of an Act of the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for establishing an Agreement with the Governor and Company of the Bank of* England, *for advancing the Sum of Three Millions towards the Supply for the Service of the Year One thousand eight hundred,* as relates to the same. [26th *May* 1826.]

WHEREAS an Act was passed in the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled *An Act for establishing an Agreement with the Governor and Company of the Bank of* England, *for advancing the Sum of Three Millions towards the Supply for the Service of the Year One thousand eight hundred:* And whereas it was, to prevent Doubts as to the Privilege of the said Governor and Company, enacted and declared in the said recited Act, that 39 & 40 G. 3. c. 28.

no other Bank should be erected, established, or allowed by Parliament; and that it should not be lawful for any Body Politic or Corporate whatsoever, erected or to be erected, or for any other Persons united or to be united in Covenants or Partnership, exceeding the Number of Six Persons, in that Part of *Great Britain* called *England*, to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes payable on Demand, or at any less Time than Six Months from the borrowing thereof, during the Continuance of the said Privilege to the said Governor and Company, who were thereby declared to be and remain a Corporation, with the Privilege of exclusive Banking, as before recited; but subject nevertheless to Redemption on the Terms and Conditions in the said Act specified: And whereas the Governor and Company of the Bank of *England* have consented to relinquish so much of their exclusive Privilege as prohibits any Body Politic or Corporate, or any Number of Persons exceeding Six, in *England*, acting in Copartnership, from borrowing, owing, or taking up any Sum or Sums of Money on their Bills or Notes payable on Demand, or at any less Time than Six Months from the borrowing thereof; provided that such Body Politic or Corporate, or Persons united in Covenants or Partnerships, exceeding the Number of Six Persons in each Copartnership, shall have the whole of their Banking Establishments and carry on their Business as Bankers at any Place or Places in *England* exceeding the Distance of Sixty-five Miles from *London*, and that all the Individuals composing such Corporations or Copartnerships, carrying on such Business, shall be liable to and responsible for the due Payment of all Bills and Notes issued by such Corporations or Copartnerships respectively: 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 it shall and may be lawful for any Bodies Politic or Corporate erected for the Purposes of Banking, or for any Number of Persons united in Covenants or Copartnership, although such Persons so united or carrying on Business together shall consist of more than Six in Number, to carry on the Trade or Business of Bankers in *England*, in like Manner as Copartnerships of Bankers consisting of not more than Six Persons in Number may lawfully do; and for such Bodies Politic or Corporate, or such Persons so united as aforesaid, to make and issue their Bills or Notes at any Place or Places in *England* exceeding the Distance of Sixty-five Miles from *London*, payable on Demand, or otherwise at some Place or Places specified upon such Bills or Notes, exceeding the Distance of Sixty-five Miles from *London*, and not elsewhere, and to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes so made and issued at any such Place or Places as aforesaid: Provided always, that such Corporations or Persons carrying on such Trade or Business of Bankers in Copartnership shall not have any House of Business or Establishment as Bankers in *London*, or at any Place or Places not exceeding the Distance of Sixty-five Miles from *London*; and that every Member of any such Corporation or Copartnership shall be liable to

Copartnerships of more than Six in Number may carry on Business as Bankers in England, 65 Miles from London, provided they have no Establishment as Bankers in London, and that every Member shall be liable for the Payment of all Bills, &c.

and responsible for the due Payment of all Bills and Notes which shall be issued, and for all Sums of Money which shall be borrowed, owed, or taken up by the Corporation or Copartnership of which such Person shall be a Member, such Person being a Member at the Period of the Date of the Bills or Notes, or becoming or being a Member before or at the Time of the Bills or Notes being payable, or being such Member at the Time of the borrowing, owing, or taking up of any Sum or Sums of Money upon any Bills or Notes by the Corporation or Copartnership, or while any Sum of Money on any Bills or Notes is owing or unpaid, or at the Time the same became due from the Corporation or Copartnership; any Agreement, Covenant, or Contract to the contrary notwithstanding.

This Act not to authorize Copartnerships to issue, within the Limits mentioned, any Bills payable on Demand; nor to draw Bills upon any Partner, &c. so resident, for less than 50*l.*;

II. 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 Corporation, or Copartnership exceeding the Number of Six Persons, so carrying on the Trade or Business of Bankers as aforesaid, either by any Member of or Person belonging to any such Corporation or Copartnership, or by any Agent or Agents, or any other Person or Persons on behalf of any such Corporation or Copartnership, to issue or re-issue in London, or at any Place or Places not exceeding the Distance of Sixty-five Miles from *London*, any Bill or Note of such Corporation or Copartnership, which shall be payable to Bearer or Demand, or any Bank Post Bill; nor to draw upon any Partner or Agent, or other Person or Persons who may be resident in *London*, or at any Place or Places not exceeding the Distance of Sixty-five Miles from *London*, any Bill of Exchange which shall be payable on Demand, or which shall be for a less Amount than Fifty Pounds: Provided also, that it shall be lawful, notwithstanding any thing herein or in the said recited Act contained, for any such Corporation or Copartnership to draw any Bill of Exchange for any Sum of Money amounting to the Sum of Fifty Pounds or upwards, payable either in *London* or elsewhere, at any Period after Date or after Sight.

nor to borrow Money, or take up or issue Bills of Exchange, contrary to the Provisions of the recited Act, except as herein provided.

III. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable or authorize any such Corporation, or Copartnership exceeding the Number of Six Persons, so carrying on the Trade or Business of Bankers in *England* as aforesaid, or any Member, Agent or Agents of any such Corporation or Copartnership, to borrow, owe, or take up in *London*, or at any Place or Places not exceeding the Distance of Sixty-five Miles from *London*, any Sum or Sums of Money on any Bill or Promissory Note of any such Corporation 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 Corporation or Copartnership contrary to the Provisions of the said recited Act of the Thirty-ninth and Fortieth Year of King *George* the Third, save as provided by this Act in that Behalf: Provided also, that nothing herein contained shall extend or be construed to extend to prevent

prevent any such Corporation or Copartnership, by any Agent or Person authorized by them, from discounting in *London*, or elsewhere, any Bill or Bills of Exchange not drawn by or upon such Corporation or Copartnership, or by or upon any Person on their Behalf.

Such Copartnerships shall, before issuing any Notes, &c. deliver at the Stamp Office in London an Account containing the Name of the Firm, &c.

IV. And be it further enacted, That before any such Corporation, or Copartnership exceeding the Number of Six Persons, in *England*, shall begin to issue any Bills or Notes, or borrow, owe, or take up any Money, on their Bills or Notes, an Account or Return shall be made out, according to the Form contained in the Schedule marked (A.) to this Act annexed, wherein shall be set forth the true Names, Title, or Firm of such intended or existing Corporation or Copartnership, and also the Names and Places of Abode of all the Members of such Corporation, or of all the Partners concerned or engaged in such Copartnership, as the same respectively shall appear on the Books of such Corporation or Copartnership, and the Name or Firm of every Bank or Banks established or to be established by such Corporation or Copartnership, and also the Names and Places of Abode of Two or more Persons, being Members of such Corporation or Copartnership, and being resident in *England*, who shall have been appointed Public Officers of such Corporation or Copartnership, together with the Title of Office or other Description of every such Public Officer respectively, in the Name of any One of whom such Corporation shall sue and be sued as herein-after provided, and also the Name of every Town and Place where any of the Bills or Notes of such Corporation or Copartnership shall be issued by any such Corporation, or by their Agent or Agents; and every such Amount or Return shall be delivered to the Commissioners of Stamps, at the Stamp Office in *London*, who shall cause the same to be filed and kept in the said Stamp Office, and an Entry and Registry thereof to be made in a Book or Books to be there kept for that Purpose by some Person or Persons to be appointed by the said Commissioners in that Behalf, and which Book or Books any Person or Persons shall from Time to Time have liberty to search and inspect on Payment of the Sum of One Shilling for every Search.

Account to be verified by Secretary.

V. And be it further enacted, That such Account or Return shall be made out by the Secretary or other Person, being One of the Public Officers appointed as aforesaid, and shall be verified by the Oath of such Secretary or other Public Officer, taken before any Justice of the Peace, and which Oath any Justice of the Peace is hereby authorized and empowered to administer; and that such Account or Return shall, between the Twenty-eighth Day of *February* and the Twenty-fifth Day of *March* in every Year, after such Corporation or Copartnership shall be formed, be in like Manner delivered by such Secretary or other Public Officer as aforesaid, to the Commissioners of Stamps, to be filed and kept in the Manner and for the Purposes as herein-before mentioned.

Certified Copies of Returns to be

VI. 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

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 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, 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 Corporation or Copartnership were Members thereof at the Date of such Account or Return.

Evidence of the Appointment of the Public Officers, &c.

VII. And be it further enacted, That the said Commissioners of Stamps 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 Affidavits, on Payment of 10*s*.

VIII. Provided also, and be it further enacted, That the Secretary or other Officer of every such Corporation or Copartnership shall and he is hereby required, from Time to Time, as often as Occasion shall render it necessary, make out upon Oath, in manner herein-before directed, and cause to be delivered to the Commissioners of Stamps as aforesaid, a further Account or Return according to the Form contained in the Schedule marked (B.) 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 Corporation or Copartnership, and also of the Name or Names of any Person or Persons who shall have ceased to be Members of such Corporation or Copartnership, and also of the Name or Names of any Person or Persons who shall have become a Member or Members of such Corporation or Copartnership, either in addition to or in the Place or Stead of any former Member or Members thereof, and of the Name or Names of any new or additional Town or Towns, Place or Places, where such Bills or Notes are or are intended to be issued, and where the same are to be made payable; and such further Accounts or Returns shall from Time to Time be filed and kept, and entered and registered at the Stamp Office in *London*, in like Manner as is herein-before required with respect to the original or annual Account or Return herein-before directed to be made.

Account of new Officers or Members in the Course of any Year to be made.

IX. And be it further enacted, That all Actions and Suits, and also all Petitions to found any Commission of Bankruptcy against any Person or Persons, who may be at any Time indebted to any such Copartnership carrying on Business under the Provisions of this Act, and all Proceedings at Law or in Equity under any Commission of Bankruptcy, and all other Proceedings at Law or in Equity to be commenced or instituted for or on behalf of any such Copartnership

Copartnerships shall sue and be sued in the Name of their Public Officers.

nership against any Person or Persons, Bodies Politic or Corporate, or others, whether Members of such Copartnership or otherwise, for recovering any Debts or enforcing any Claims or Demands due to such Copartnership, or for any other Matter relating to the Concerns of such 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 Copartnership, as the nominal Plaintiff or Petitioner for and on behalf of such 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 Copartnership or otherwise, against such Copartnership, shall and lawfully may be commenced, instituted, and prosecuted against any one or more of the Public Officers nominated as aforesaid for the Time being of such Copartnership, as the nominal Defendant for and on behalf of such Copartnership; and that all Indictments, Informations, and Prosecutions by or on behalf of such Copartnership, for any Stealing or Embezzlement of any Money, Goods, Effects, Bills, Notes, Securities, or other Property of or belonging to such Copartnership, or for any Fraud, Forgery, Crime, or Offence committed against or with Intent to injure or defraud such 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 Copartnership; and that in all Indictments and Informations to be had or preferred by or on behalf of such Copartnership against any Person or Persons whomsoever, notwithstanding such Person or Persons may happen to be a Member or Members of such Copartnership, it shall be lawful and sufficient to state the Money, Goods, Effects, Bills, Notes, Securities, or other Property of such 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 Copartnership; and that any Forgery, Fraud, Crime, or other Offence committed against or with Intent to injure or defraud any such 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 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 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 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 Copartnership, but the same may be continued, prose-

cuted,

cuted, and carried on in the Name of any other of the Public Officers of such Copartnership for the Time being.

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

X. 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 Corporation or Copartnership, shall bring more than One Action or Suit, in case the Merits shall have been tried in such 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 any such 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 Copartnership.

Decrees of a Court of Equity against the Public Officer to take effect against the Copartnership.

XI. 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 Copartnership carrying on Business under the Provisions of this Act, shall have the like Effect and Operation upon and against the Property and Funds of such Copartnership, and upon and against the Persons and Property of every or any Member or Members thereof, as if every or any such Members of such Copartnership were Parties Members before the Court to and in any such Suit or Proceeding; and that 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 every or any Member of such Copartnership, in like Manner as if every Member of such Copartnership were Parties before such Court to and in such Suit or Proceeding, and although all such Members are not before the Court.

Judgments against such Public Officer shall operate against the Copartnership.

XII. And be it further enacted, That all and every Judgment and Judgments, Decree or Decrees, 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 Copartnership, shall have the like Effect and Operation upon and against the Property of such Copartnership, and upon and against the Property of every such Member thereof as aforesaid, as if such Judgment or Judgments had been recovered or obtained against such Copartnership; and that the Bankruptcy, Insolvency, or stopping Payment of any such Public Officer for the Time being of such Copartnership, in his individual Character or Capacity, shall not be nor be construed to be the Bankruptcy, Insolvency, or stopping Payment of such Copartnership; and that such Copartnership and every Member thereof, and the Capital Stock and Effects of such Copartnership, and the Effects of every Member of such 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 Copartnership, or of any Member or Members thereof, as if no such Bankruptcy, Insolvency, or stopping Payment

Payment of such Public Officer of such Copartnership had happened or taken place.

Execution upon Judgment may be issued against any Member of the Copartnership.

XIII. 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 Corporation or Copartnership carrying on the Business of Banking under the Provisions of this Act, whether as Plaintiff or Defendant, may be issued against any Member or Members for the Time being of such Corporation or Copartnership; and that in case any such Execution against any Member or Members for the Time being of any such Corporation 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 Corporation or Copartnership at the Time when the Contract or Contracts or Engagement or Engagements in which such Judgment may have been obtained was or were entered into, or became a Member at any Time before such Contracts or Engagements were executed, or was a Member at the Time of the Judgment obtained: 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 when 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 Corporation or Copartnership.

Officer, &c. in such Cases indemnified.

XIV. Provided always, and be it further 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 Copartnership, or in Failure thereof, by Contribution from the other Members of such Copartnership, as in the ordinary Cases of Copartnership.

Governor and Company of the Bank of England may empower Agents to carry on Banking Business at any Place in England.

XV. And to prevent any Doubts that might arise whether the said Governor and Company, under and by virtue of their Charter, and the several Acts of Parliament which have been made and passed in relation to the Affairs of the said Governor and Company, can lawfully carry on the Trade or Business of Banking, otherwise than under the immediate Order, Management, and Direction of the Court of Directors of the said Governor and Company; be it therefore enacted, That it shall and may be lawful for the said Governor and Company to authorize and empower any Committee or Committees, Agent or Agents, to carry on the Trade and Business of

Banking, for and on behalf of the said Governor and Company, at any Place or Places in that Part of the United Kingdom called *England*, and for that Purpose to invest such Committee or Committees, Agent or Agents, with such Powers of Management and Superintendance, and such Authority to appoint Cashiers and other Officers and Servants as may be necessary or convenient for carrying on such Trade and Business as aforesaid; and for the same Purpose to issue to such Committee or Committees, Agent or Agents, Cashier or Cashiers, or other Officer or Officers, Servant or Servants, Cash, Bills of Exchange, Bank Post Bills, Bank Notes, Promissory Notes, and other Securities for Payment of Money: Provided always, that all such Acts of the said Governor and Company shall be done and exercised in such Manner as may be appointed by any Bye Laws, Constitutions, Orders, Rules, and Directions from Time to Time hereafter to be made by the General Court of the said Governor and Company in that Behalf, such Bye Laws not being repugnant to the Laws of that Part of the United Kingdom called *England*; and in all Cases where such Bye Laws, Constitutions, Orders, Rules, or Directions of the said General Court shall be wanting, in such Manner as the Governor, Deputy Governor, and Directors, or the major Part of them assembled, whereof the said Governor or Deputy Governor is always to be one, shall or may direct, such Directions not being repugnant to the Laws of that Part of the United Kingdom called *England*; any thing in the said Charter or Acts of Parliament, or other Law, Usage, Matter, or Thing to the contrary thereof notwithstanding: Provided always, that in any Place where the Trade and Business of Banking shall be carried on for and on behalf of the said Governor and Company of the Bank of *England*, any Promissory Note issued on their Account in such Place shall be made payable in Coin in such Place as well as in *London*.

Copartnerships may issue unstamped Notes, on giving Bond.

XVI. And be it further enacted, That if any Corporation or Copartnership carrying on the Trade or Business of Bankers under the Authority of this Act, shall be desirous of issuing and re-issuing Notes in the Nature of Bank Notes, payable to the Bearer on Demand, without the same being stamped as by Law is required, it shall be lawful for them so to do on giving Security by Bond to His Majesty, His Heirs and Successors, in which Bond Two of the Directors, Members, or Partners of such Corporation or Copartnership shall be the Obligors, together with the Cashier or Cashiers, or Accountant or Accountants employed by such Corporation or Copartnership, as the said Commissioners of Stamps shall require; and such Bonds shall be taken in such reasonable Sums as the Duties may amount unto during the Period of One Year, with Condition to deliver to the said Commissioners of Stamps, within Fourteen Days after the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, whilst the present Stamp Duties shall remain in force, a just and true Account, verified upon the Oaths or Affirmations of Two Directors, Members, or Partners of such Corporation or Copartnership, and of the said Cashier or Cashiers, Accountant or Accountants, or such of them as the said Commis-

Commissioners of Stamps shall require, such Oaths or Affirmations to be taken before any Justice of the Peace, and which Oaths or Affirmations any Justice of the Peace is hereby authorized and empowered to administer, of the Amount or Value of all their Promissory Notes in Circulation on some given Day in every Week, for the Space of One Quarter of a Year prior to the Quarter Day immediately preceding the Delivery of such Account, together with the Average Amount or Value thereof according to such Account; and also to pay or cause to be paid into the Hands of the Receivers General of Stamp Duties in *Great Britain*, as a Composition for the Duties which would otherwise have been payable for such Promissory Notes issued within the Space of One Year, the Sum of Seven Shillings for every One hundred Pounds, and also for the Fractional Part of One hundred Pounds of the said Average Amount or Value of such Notes in Circulation, according to the true Intent and Meaning of this Act; and on due Performance thereof such Bond shall be void; and it shall be lawful for the said Commissioners to fix the Time or Times of making such Payment, and to specify the same in the Condition to every such Bond; and every such Bond may be required to be renewed from Time to Time, at the Discretion of the said Commissioners or the major Part of them, and as often as the same shall be forfeited, or the Party or Parties to the same, or any of them, shall die, become bankrupt or insolvent, or reside in Parts beyond the Seas.

No Corporation compelled to take out more than Four Licences.

XVII. Provided always, and be it further enacted, That no such Corporation or Copartnership shall be obliged to take out more than Four Licences for the issuing of any Promissory Notes for Money payable to the Bearer on Demand, allowed by Law to be re-issued in all for any Number of Towns or Places in *England*; and in case any such Corporation or Copartnership shall issue such Promissory Notes as aforesaid, by themselves or their Agents, at more than Four different Towns or Places in *England*, then after taking out Three distinct Licences for Three of such Towns or Places, such Corporation or Copartnership shall be entitled to have all the rest of such Towns or Places included in a Fourth Licence.

Penalty on Copartnership neglecting to send Returns, 500*l.*

XVIII. And be it further enacted, That if any such Corporation or Copartnership exceeding the Number of Six Persons in *England*, shall begin to issue any Bills or Notes, or to borrow, owe, or take up any Money on their Bills or Notes, without having caused such Account or Return as aforesaid to be made out and delivered in the Manner and Form directed by this Act, or shall neglect or omit to cause such Account or Return to be renewed yearly and every Year, between the Days or Times herein-before appointed for that Purpose, such Corporation or Copartnership so offending shall, for each and every Week they shall so neglect to make such Account and Return, forfeit the Sum of Five hundred Pounds; and if any Secretary or other Officer of such Corporation or Copartnership shall make out or sign any false Account or Return, or any Account or Return which shall not truly set forth all the several Particulars by this Act required

Penalties for making false Returns.

to be contained or inserted in such Account or Return, the Corporation or Copartnership to which such Secretary or other Officer so offending shall belong shall for every such Offence forfeit the Sum of Five hundred Pounds, and the said Secretary or other Officer so offending shall also for every such Offence forfeit the Sum of One hundred Pounds; and if any such Secretary or other Officer making out or signing any such Account or Return as aforesaid, shall knowingly and wilfully make a false Oath of or concerning any of the Matters to be therein specified and set forth, every such Secretary or other Officer so offending, and being thereof lawfully convicted, shall be subject and liable to such Pains and Penalties as by any Law now in force Persons convicted of wilful and corrupt Perjury are subject and liable to.

False Oath Perjury.

XIX. And be it further enacted, That if any such Corporation or Copartnership exceeding the Number of Six Persons, so carrying on the Trade or Business of Bankers as aforesaid, shall, either by any Member of or Person belonging to any such Corporation or Copartnership, or by any Agent or Agents, or any other Person or Persons on behalf of any such Corporation or Copartnership, issue or re-issue in *London*, or at any Place or Places not exceeding the Distance of Sixty-five Miles from *London*, any Bill or Note of such Corporation or Copartnership which shall be payable on Demand; or shall draw upon any Partner or Agent, or other Person or Persons who may be resident in *London*, or at any Place or Places not exceeding the Distance of Sixty-five Miles from *London*, any Bill of Exchange which shall be payable on Demand, or which shall be for a less Amount than Fifty Pounds; or if any such Corporation or Copartnership exceeding the Number of Six Persons, so carrying on the Trade or Business of Bankers in *England* as aforesaid, or any Member, Agent or Agents of any such Corporation or Copartnership, shall borrow, owe, or take up in *London*, or at any Place or Places not exceeding the Distance of Sixty-five Miles from *London*, any Sum or Sums of Money on any Bill or Promissory Note of any such Corporation or Copartnership payable on Demand, or at any less Time than Six Months from the borrowing thereof, or shall make or issue any Bill or Bills of Exchange or Promissory Note or Notes of such Corporation or Copartnership contrary to the Provisions of the said recited Act of the Thirty-ninth and Fortieth Years of King *George* the Third, save as provided by this Act, such Corporation or Copartnership so offending, or on whose Account or Behalf any such Offence as aforesaid shall be committed, shall for every such Offence forfeit the Sum of Fifty Pounds.

Penalty on Copartnership for issuing Bills payable on Demand; or drawing Bills of Exchange payable on Demand, or for less than 50*l.*; or borrowing Money on Bills, except as herein provided.

XX. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, alter, or affect any of the Rights, Powers, or Privileges of the said Governor and Company of the Bank of *England*; except as the said exclusive Privilege of the said Governor and Company is by this Act specially altered and varied.

Not to affect the Rights of Bank of England, except as herein specially altered.

XXI. And

Penalties how recovered.

XXI. And be it further enacted, That all pecuniary Penalties and Forfeitures imposed by this Act shall and may be sued for and recovered in His Majesty's Court of Exchequer at *Westminster*, in the same Manner as Penalties incurred under any Act or Acts relating to Stamp Duties may be sued for and recovered in such Court.

Act may be altered.

XXII. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this present Session of Parliament.

SCHE-

SCHEDULES referred to by this Act.

SCHEDULE (A.)

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

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

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

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

Names and Descriptions of the Public Officers of the said Banking Corporation 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 Corporation or Copartnership are to be issued by the said Corporation 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 Corporation or Copartnership, maketh Oath and saith, That the above doth contain the Name, Style, and Firm of the above Corporation or Copartnership, and the Names and Places of the Abode of the several Members thereof, and of the Banks established by the said Corporation or Copartnership, and the Names, Titles, and Descriptions of the Public Officers of the said Corporation or Copartnership, and the Names of the Towns and Places where the Notes of the said Corporation or Copartnership are to be issued, as the same respectively appear in the Books of the said Corporation 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.

SCHEDULE (B.)

RETURN or Account to be entered at the Stamp Office in London, on behalf of [*name the Corporation or Copartnership*] in pursuance of an Act passed in the Seventh 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 Corporation or Copartnership; *viz.*

A. B. in the Room of *C. D.* deceased or removed [*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 Corporation or Copartnership; *viz.* [*set forth every Name.*]

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

Names of any additional Towns or Places where Bills or Notes are to be issued, and where the same are to be made payable.

A. B. of Secretary [*or other Officer*] of the above-named Corporation 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 Corporation 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 Corporation or Copartnership, and of any and every Person who hath become a Member of the said Copartnership since the Registry of the said Corporation or Copartnership on the Day of last, as the same respectively appear on the Books of the said Corporation 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1826.