



ANNO OCTAVO & NONO

# VICTORIÆ REGINÆ.

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C A P. XXXVII.

An Act to regulate the Issue of Bank Notes in  
*Ireland*, and to regulate the Repayment of certain  
Sums advanced by the Governor and Company  
of the Bank of *Ireland* for the Public Service.

[21st July 1845.]

**W**HEREAS by an Act passed in the Parliament of *Ireland*  
in the Twenty-first and Twenty-second Years of the Reign  
of His Majesty King *George* the Third, intituled *An Act* 21 & 22 G. 3.  
*for establishing a Bank by the Name of the Governors and Company* (1.)  
*of the Bank of Ireland*, it was amongst other things enacted, that  
from and after the passing of that 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 and erected into a  
National Bank, or for any other Persons whatsoever united or to  
be united in Covenants or Partnership 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 Sum or Sums so to be borrowed or taken upon such  
Bill or Bills, Note or Notes, one Moiety thereof to be paid to the  
Informers, and the other to the Use of His Majesty, His Heirs and  
Successors,

Day of *July* in each Year, the first Payment of the said Interest or Annuity to be made on the Fifth Day of *January* in the Year One thousand eight hundred and forty-one; and it was by the last-mentioned Act further provided, that the said last-mentioned Annuity should be redeemable at any Time after the First Day of *January* One thousand eight hundred and forty-one, on Six Months Notice to the said Governor and Company, and on Repayment to them of the said several Sums of Six hundred thousand Pounds, Five hundred thousand Pounds, One million two hundred and fifty thousand Pounds, and Five hundred thousand Pounds, late *Irish* Currency, together with all Arrears of the said Annuity of One hundred and fifteen thousand three hundred and eighty-four Pounds Twelve Shillings and Fourpence: And whereas the last-mentioned Annuity has, by Consent of the said Governor and Company, been reduced to an Annuity of Ninety-two thousand and seventy-six Pounds Eighteen Shillings and Fivepence of *British* Currency: And whereas it is expedient that the exclusive Privilege of Banking granted to the said Governor and Company by the said recited Act of the Parliament of *Ireland*, or by any other Act or Acts of Parliament now in force, should cease, but that the said Governor and Company should continue a Corporation, with full Power and Authority to carry on the Business of Bankers, subject to the Regulations herein-after contained; and the said Governor and Company of the Bank of *Ireland* have agreed to continue the Management in *Ireland* of so much of the Public Debt of the United Kingdom as shall for the Time being require to be transacted in *Ireland*, and of all Loans and other Creations of Stock which shall at any Time be made in *Ireland*, and of any Public Annuities for Lives or for Years which may be payable in *Ireland*, free of all Charge and Expence whatever for such Management, or for their Trouble in the Payment of the Interest of the said Public Debt or Annuities from Time to Time during the Continuance of the said Corporation under the Provisions of this Act; and it hath been further agreed that the said Governor and Company shall continue to receive the said Annuity of Ninety-two thousand and seventy-six Pounds Eighteen Shillings and Fivepence, being an annual Interest at and after the Rate of Three and a Half *per Centum per Annum*, for and in respect of the said Capital Sum of Two million six hundred and thirty thousand seven hundred and sixty-nine Pounds Four Shillings and Eightpence, and that the Repayment of the last-mentioned Sum shall be postponed till the Expiration of Six Months after Notice to be given by the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* to the said Governor and Company of their Intention to pay off the same, or by the said Governor and Company to the said Commissioners of Her Majesty's Treasury requiring Payment thereof, such Notice not to be given by either Party before the First Day of *January* One thousand eight hundred and fifty-five: And whereas by an Act passed in the Seventh and Eighth Years of the Reign of Her Majesty, intituled *An Act to regulate the Issue of Bank Notes, and for giving to the Governor and Company of the Bank of England certain Privileges for a limited Period*, it was enacted, that from and after the passing of that Act no Person, other than a Banker who on the Sixth Day of *May* One thousand eight hundred and forty-four was lawfully issuing

issuing his own Bank Notes, should make or issue Bank Notes in any Part of the United Kingdom: And whereas it is expedient to regulate the Issue of Bank Notes by the said Governor and Company of the Bank of *Ireland*, and by such other Bankers as are now by Law authorized to issue Bank Notes in *Ireland*: Be it therefore enacted by the Queen'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 Sixth Day of *December* One thousand eight hundred and forty-five so much of the said recited Act of the Parliament of *Ireland* of the Twenty-first and Twenty-second Years of the Reign of His Majesty King *George* the Third as prohibits any Body Politic or Corporate erected or to be erected, other than the Governor and Company of the Bank of *Ireland*, or for any other Persons whatsoever united or to be united in Covenants or Partnership 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, shall be and the same is hereby repealed; and that from and after the said Sixth Day of *December* One thousand eight hundred and forty-five it shall and may be lawful for any Persons exceeding Six in Number united or to be united in Societies or Partnerships, or for any Bodies Politic or Corporate, to transact or carry on the Business of Bankers in *Ireland* at *Dublin*, and at every Place within Fifty Miles thereof, as freely as Persons exceeding Six in Number united as aforesaid may lawfully carry on the same Business at any Place in *Ireland* beyond the Distance of Fifty Miles from *Dublin*: Provided always, that every Member of any such Society, Partnership, Bodies Politic or Corporate, shall be liable and responsible for the due Payment of all the Debts and Liabilities of the Corporation or Copartnership of which such Person shall be a Member, any Agreement, Covenant, or Contract to the contrary notwithstanding.

Restriction on Bankers by 21 & 22 G. 3. (*Ireland*) repealed.

Authorizing certain Banking Co-partnerships to carry on Business in *Dublin* or within 50 Miles thereof.

II. And be it enacted, That from and after the passing of this Act the Repayment of the said Sum of Two million six hundred and thirty thousand seven hundred and sixty-nine Pounds Four Shillings and Eight-pence shall be and the same is hereby made chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* until Parliament shall otherwise provide, and there shall be paid and payable, but subject to the Condition of Redemption herein-after contained, at the Receipt of Her Majesty's Exchequer in *Dublin*, to the Governor and Company of the said Bank of *Ireland*, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in respect of the said Capital Sum of Two million six hundred and thirty thousand seven hundred and sixty-nine Pounds Four Shillings and Eight-pence so now due by the Public to the said Governor and Company, the aforesaid Annuity of Ninety-two thousand and seventy-six Pounds Eighteen Shillings and Five-pence, being an Interest or Annuity at and after the Rate of Three Pounds Ten Shillings *per Centum per Annum*, in the now lawful Currency of the United Kingdom, by Two equal half-yearly Payments,

Interest at the Rate of Three and a Half per Centum per Annum made payable to the Bank.

ments, without any Defalcation or Abatement, on the Fifth Day of *January* and the Fifth Day of *July* in each Year.

Bank shall manage the Public Debt of Ireland, and pay Dividends without Expence to Government.

III. And be it enacted, That from and after the passing of this Act the said Governor and Company of the Bank of *Ireland* shall from Time to Time and at all Times during the Continuance of their Charter, and until the said Corporation shall be dissolved pursuant to the Provisions of this Act, continue to manage and to pay all Interest, Annuities, and Dividends payable at the said Bank in respect of such Part of the Public Debt as shall for the Time being require to be transacted in *Ireland*, or in respect of any Fund or Stock created or to be created in consequence of any Public Loan, or funding of Exchequer Bills, or Conversion of Stock in *Ireland*, or of any Public Annuities, whether for Lives or for Years, without making any Charge to Her Majesty, Her Heirs or Successors, or to the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, for their Trouble or Expence in so doing, any Law, Usage, or Custom to the contrary notwithstanding.

Bank Corporation may be dissolved on Notice after 1st of January 1855.

IV. And be it enacted, That at any Time after the First Day of *January* which will be in the Year of our Lord One thousand eight hundred and fifty-five, upon Twelve Months Notice, to be published in the *Dublin Gazette* by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, that the said Corporation of the Bank is to be dissolved, and upon Repayment by Parliament to the said Governor and Company of the Bank of *Ireland*, or their Successors, of the said Sum of Two million six hundred and thirty thousand seven hundred and sixty-nine Pounds Four Shillings and Eight-pence, together with all Arrears of Interest or Annuity due in respect thereof, then and in such Case the said Interest or Annuity shall, from and after the Expiration of Twelve Months after such Notice published, cease and determine, and the said Corporation shall be dissolved.

Repeal of so much of 33G. 2. c. 14. s. 15.(1.) as prohibits public Officers from being Partners in Banks.

V. And whereas by an Act passed in the Parliament of *Ireland* in the Thirty-third Year of His late Majesty King *George* the Second, intituled *An Act for repealing an Act passed in this Kingdom in the Eighth Year of the Reign of King George the First, intituled 'An Act for the better securing the Payment of Bankers Notes, and for providing a more effectual Remedy for the Security and Payment of Debts due by Bankers,'* it was among other things enacted, that no Person who by reason of any Office, Employment, Deputation, or Clerkship was then or should at any Time thereafter be entrusted with the Receipt, Custody, or Payment of Public Money, or any Part of the Public Revenue of that Kingdom, should, either singly or in Partnership, so long as such Person should continue in such Office, Employment, Deputation, or Clerkship, follow the Trade or Business of a Banker, or by himself, or by any Person authorized by him, issue or give any Note or accountable Receipt as a Banker or in Partnership with any Banker, or for Profit or Reward discount any Promissory Note, or Foreign or Inland Bill of Exchange: And whereas it is expedient to repeal the said Enactment;

ment; be it therefore enacted, That from and after the passing of this Act so much of the last-mentioned Act as is herein recited shall be and the same is hereby repealed.

VI. And whereas by an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for giving to the Corporation of the Governor and Company of the Bank of England certain Privileges for a limited Period, under certain Conditions*, it was enacted, that from and after the First Day of *August* One thousand eight hundred and thirty-four, unless and until Parliament should otherwise direct, a Tender of a Note or Notes of the Governor and Company of the Bank of *England* expressed to be payable to Bearer on demand should be a legal Tender to the Amount expressed in such Note or Notes, and should be taken to be valid as a Tender to such Amount for all Sums above Five Pounds, on all Occasions on which any Tender of Money may be legally made, so long as the Bank of *England* should continue to pay on demand their said Notes in legal Coin; provided always, that no such Note or Notes should be deemed a legal Tender of Payment by the Governor and Company of the Bank of *England*, or any Branch Bank of the said Governor and Company: And whereas Doubts have arisen as to the Extent of the said Enactment; for Removal whereof, be it enacted and declared, That nothing in the said last-recited Act contained shall extend or be construed to extend to make the Tender of a Note or Notes of the Governor and Company of the Bank of *England* a legal Tender in *Ireland*: Provided also, that nothing in this Act shall be construed to prohibit the Circulation in *Ireland* of the Notes of the Governor and Company of the Bank of *England* as heretofore.

Bank of Eng-  
land Notes  
not a legal  
Tender in  
Ireland.

Proviso.

VII. And be it enacted, That from and after the passing of this Act it shall not be necessary for any Governor, Deputy Governor, or Director of the said Bank, before acting in the said several Offices or Trusts, to make and subscribe the Declaration pursuant to the Act of Parliament passed in the Kingdom of *Ireland*, intituled *An Act to prevent the further Growth of Popery*, nor to take any other Oaths than the Oath of Allegiance, the Oath of Qualification by Possession of Stock, and the Oath of Fidelity to the Corporation prescribed in and by the Charter of Incorporation of the Governor and Company of the said Bank, and that it shall not be necessary for any Member of the said Corporation, before voting in any General Court, to make and subscribe the aforesaid Declaration, nor to take any other Oaths than the Oaths of Allegiance, the Oath of Qualification by the Possession of Stock, and the Oath of Fidelity to the said Corporation provided in the said Charter of Incorporation: Provided always, that in case any of the Persons called Quakers shall at any Time be chosen Governor, Deputy Governor, or Director, or shall be or become a Member of the said Corporation, it shall be sufficient for such Person or Persons to make his or their solemn Affirmation, to the Purport and Effect of the Oaths prescribed by the said Charter and by this Act to be taken by Governors, Deputy Governors, Directors, or Members respectively of the said Corporation.

Oaths to be  
taken by  
Directors,  
&c. of the  
Bank of  
Ireland.

VIII. And

Bankers  
claiming to  
be entitled  
to issue  
Bank Notes  
to give  
Notice to  
Commission-  
ers of Stamps  
and Taxes.  
Commis-  
sioners to  
certify exist-  
ing Banks of  
Issue and  
Limitation  
of Issue.

4 & 5 Vict.  
c. 50.

Prohibiting  
Issue by  
uncertified  
Bankers.

Provision  
for united  
Banks.

Duplicate of  
Certificate  
to be pub-  
lished in the  
Gazette.  
Gazette to be  
Evidence.

VIII. And be it enacted, That every Banker claiming to be entitled to issue Bank Notes in *Ireland* shall, within One Month next after the passing of this Act, give Notice in Writing to the Commissioners of Stamps and Taxes, at their head Office in *London*, of such Claim, and of the Place and Name and Firm at and under which such Banker has issued such Notes in *Ireland* during the Year next preceding the First Day of *May* One thousand eight hundred and forty-five, and thereupon the said Commissioners shall ascertain if such Banker was on the Sixth Day of *May* One thousand eight hundred and forty-four, and from thence up to the First Day of *May* One thousand eight hundred and forty-five, carrying on the Business of a Banker, and lawfully issuing his own Bank Notes in *Ireland*, and if it shall so appear, then the said Commissioners shall proceed to ascertain the average Amount of the Bank Notes of such Banker which were in Circulation during the said Period of One Year preceding the First Day of *May* One thousand eight hundred and forty-five, according to the Returns made by such Banker in pursuance of the Act passed in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act to make further Provisions relative to the Returns to be made by Banks of the Amount of their Notes in Circulation*, and the said Commissioners, or any Two of them, shall certify under their Hands to such Banker the average Amount, when so ascertained as aforesaid, omitting the Fractions of a Pound, if any; and it shall be lawful for every such Banker to continue to issue his own Bank Notes after the Sixth Day of *December* One thousand eight hundred and forty-five, to the Extent of the Amount so certified, and of the Amount of the Gold and Silver Coin held by such Banker, in the Proportion and Manner herein-after mentioned, but not to any further Extent; and from and after the Sixth Day of *December* One thousand eight hundred and forty-five it shall not be lawful for any Banker to make or issue Bank Notes in *Ireland*, save and except only such Bankers as shall have obtained such Certificate from the Commissioners of Stamps and Taxes.

IX. Provided always, and be it enacted, That if it shall be made to appear to the Commissioners of Stamps and Taxes that any Two or more Banks have, by written Contract or Agreement (which Contract or Agreement shall be produced to the said Commissioners), become united within the Year next preceding such First Day of *May* One thousand eight hundred and forty-five, it shall be lawful for the said Commissioners to ascertain the average Amount of the Notes of each such Bank in the Manner herein-before directed, and to certify a Sum equal to the average Amount of the Notes of the Two or more Banks so united as the Amount which the united Bank shall thereafter be authorized to issue, subject to the Regulations of this Act.

X. And be it enacted, That the Commissioners of Stamps and Taxes shall, at the Time of certifying to any Banker such Particulars as they are herein-before required to certify, also publish a Duplicate of their Certificate thereof in the next succeeding *Dublin Gazette* in which the same may be conveniently inserted; and the Gazette in which such Publication shall be made shall be conclusive

conclusive Evidence in all Courts whatsoever of the Amount of Bank Notes which the Banker named in such Certificate or Duplicate is by Law authorized to issue and to have in Circulation as aforesaid, exclusive of an Amount equal to the monthly average Amount of the Gold and Silver Coin held by such Banker as herein provided.

XI. And be it enacted, That in case it shall be made to appear to the Commissioners of Stamps and Taxes at any Time hereafter that any Two or more Banks have, by written Contract or Agreement (which Contract or Agreement shall be produced to the said Commissioners), become united subsequently to the passing of this Act, it shall be lawful to the said Commissioners, upon the Application of such united Bank, to certify, in manner herein-before mentioned, the Aggregate of the Amount of Bank Notes which such separate Banks were previously authorized to issue under the separate Certificates previously delivered to them, and so from Time to Time; and every such Certificate shall be published in manner herein-before directed; and from and after such Publication the Amount therein stated shall be and be deemed to be the Limit of the Amount of Bank Notes which such united Bank may have in Circulation, exclusive of an Amount equal to the monthly average Amount of the Gold and Silver Coin held by such Banker as herein provided.

In case Banks become united, Commissioners to certify the Amount of Bank Notes which each Bank was authorized to issue.

XII. And be it enacted, That it shall be lawful for any Banker in *Ireland* who under the Provisions of this Act is entitled to issue Bank Notes to contract and agree with the Governor and Company of the Bank of *Ireland*, by an Agreement in Writing, for the Relinquishment of the Privilege of issuing such Notes in favour of the said Governor and Company, and in each such Case a Copy of such Agreement shall be transmitted to the Commissioners of Stamps and Taxes; and the said Commissioners shall thereupon certify, in manner herein-before mentioned, the Aggregate of the Amount of Bank Notes which the Bank of *Ireland* and the Banker with whom such Agreement shall have been made were previously authorized to issue under the separate Certificates previously delivered to them; and every such Certificate shall be published in manner herein-before directed; and from and after such Publication the Amount therein stated shall be the Limit of the Amount of Bank Notes which the Governor and Company of the Bank of *Ireland* may have in Circulation, exclusive of an Amount equal to the Amount of the Gold and Silver Coin held by the Bank of *Ireland* as herein provided.

Banks entitled to the Privilege of issuing Notes may relinquish the same;

XIII. And be it enacted, That it shall not be lawful for any Banker who shall have so agreed to relinquish the Privilege of issuing Bank Notes at any Time thereafter to issue any such Notes.

but not resume the Issue.

XIV. And be it enacted, That from and after the Sixth Day of *December* One thousand eight hundred and forty-five it shall not be lawful for any Banker in *Ireland* to have in Circulation, upon the Average of a Period of Four Weeks, to be ascertained as herein-after mentioned, a greater Amount of Notes than an Amount composed of the Sums certified by the Commissioners of Stamps and Taxes as

Limitation of Bank Notes in Circulation.

aforesaid, and the monthly average Amount of Gold and Silver Coin held by such Banker during the same Period of Four Weeks, to be ascertained in manner herein-after mentioned.

Issue of  
Notes for  
fractional  
Parts of a  
Pound pro-  
hibited.

XV. And be it enacted, That all Bank Notes to be issued or re-issued in *Ireland* after the Sixth Day of *December* One thousand eight hundred and forty-five shall be expressed to be for Payment of a Sum in Pounds Sterling, without any fractional Parts of a Pound; and if any Banker in *Ireland* shall from and after that Day make, sign, issue, or re-issue any Bank Note for the fractional Part of a Pound Sterling, or for any Sum together with the fractional Part of a Pound Sterling, every such Banker so making, signing, issuing, or re-issuing any such Note as aforesaid shall for each Note so made, signed, issued, or re-issued forfeit or pay the Sum of Twenty Pounds.

Issuing  
Banks to  
render  
Accounts  
weekly.

XVI. And be it enacted, That every Banker who after the Sixth Day of *December* One thousand eight hundred and forty-five shall issue Bank Notes in *Ireland* shall, on some one Day in every Week after the Thirteenth Day of *December* One thousand eight hundred and forty-five (such Day to be fixed by the Commissioners of Stamps and Taxes), transmit to the said Commissioners a just and true Account of the Amount of Bank Notes of such Banker in Circulation at the Close of the Business on the next preceding *Saturday*, distinguishing the Notes of Five Pounds and upwards, and the Notes below Five Pounds, and also an Account of the total Amount of Gold and Silver Coin held by such Banker at each of the head Offices or principal Places of Issue in *Ireland* of such Banker at the Close of Business on each Day of the Week ending on that *Saturday*, and also an Account of the total Amount of Gold and Silver Coin in *Ireland* held by such Banker at the Close of Business on that Day; and on completing the first Period of Four Weeks, and so on completing each successive Period of Four Weeks, every such Banker shall annex to such Account the average Amount of Bank Notes of such Banker in Circulation during the said Four Weeks, distinguishing the Bank Notes of Five Pounds and upwards, and the Notes below Five Pounds, and the average Amount of Gold and Silver Coin respectively held by such Banker at each of the head Offices or principal Places of Issue in *Ireland* of such Banker during the said Four Weeks, and also the Amount of Bank Notes which such Banker is, by the Certificate published as aforesaid, authorized to issue under the Provisions of this Act; and every such Account shall be verified by the Signature of such Banker or his Chief Cashier, or in the Case of a Company or Partnership by the Signature of the Chief Cashier or other Officer duly authorized by the Directors of such Company or Partnership, and shall be made in the Form to this Act annexed marked (A.); and if any such Banker shall neglect or refuse to render any such Account in the Form and at the Time required by this Act, or shall at any Time render a false Account, such Banker shall forfeit the Sum of One hundred Pounds for every such Offence.

What shall  
be deemed  
to be Bank  
Notes in  
Circulation.

XVII. And be it enacted, That all Bank Notes shall be deemed to be in Circulation from the Time the same shall have been issued by any Banker, or any Servant or Agent of such Banker, until the same shall



shall have been actually returned to such Banker, or some Servant or Agent of such Banker.

XVIII. And be it enacted, That from the Returns so made by each Banker to the Commissioners of Stamps and Taxes the said Commissioners shall, at the End of the first Period of Four Weeks after the said Sixth Day of *December* One thousand eight hundred and forty-five, and so at the End of each successive Period of Four Weeks, make out a general Return in the Form to this Act annexed marked (B.) of the monthly average Amount of Bank Notes in Circulation of each Banker in *Ireland* during the last preceding Four Weeks, and of the average Amount of all the Gold and Silver Coin held by such Banker during the same Period, and certifying, under the Hand of any Officer of the said Commissioners duly authorized for that Purpose in the Case of each such Banker, whether such Banker has held the Amount of Coin required by Law during the Period to which the said Return shall apply, and shall publish the same in the next succeeding *Dublin Gazette* in which the same can be conveniently inserted.

Commissioners of Stamps to make a monthly Return.

XIX. And be it enacted, That for the Purpose of ascertaining the monthly average Amount of Bank Notes of each Banker in Circulation, the Aggregate of the Amount of Bank Notes of each such Banker in Circulation at the Close of the Business on the *Saturday* in each Week during the first complete Period of Four Weeks next after the Sixth Day of *December* One thousand eight hundred and forty-five shall be divided by the Number of Weeks, and the Average so ascertained shall be deemed to be the Average of Bank Notes of each such Banker in Circulation during such Period of Four Weeks, and so in each successive Period of Four Weeks; and the monthly average Amount of Gold and Silver Coin respectively held as aforesaid by such Banker shall be ascertained in like Manner from the Amount of Gold and Silver Coin held by such Banker at the head Offices or principal Places of Issue of such Banker in *Ireland*, as after mentioned, at the Close of Business on such Day in each Week; and the monthly average Amount of Bank Notes of each such Banker in Circulation during any such Period of Four Weeks is not to exceed a Sum made up by adding the Amount certified by the Commissioners of Stamps and Taxes as aforesaid and the monthly average Amount of Gold and Silver Coin held by such Banker as aforesaid during the same Period.

Mode of ascertaining the average Amount of Bank Notes of each Banker in Circulation, and Gold Coin, during the first Four Weeks after the 6th Day of December 1845.

XX. And be it enacted, That in taking account of the Coin held by any Banker in *Ireland* with respect to which Bank Notes to a further Extent than the Sum certified as aforesaid by the Commissioners of Stamps and Taxes may, under the Provisions of this Act, be made and issued, there shall be included only the Gold and Silver Coin held by such Banker at the several head Offices or principal Places of Issue in *Ireland* of such Banker, such head Offices or principal Places of Issue not exceeding Four in Number, of which not more than Two shall be situated in the same Province; and every Banker shall give Notice in Writing to the said Commissioners, on or before the Sixth Day of *December* next, of such head Offices

What shall be taken in the Account of Coin held by any Banker.

or

Silver Coin  
not to exceed  
the Proportion  
of One  
Quarter of  
Gold.

or principal Places of Issue at which the Account of Gold and Silver Coin held by him is to be taken as aforesaid; and no Amount of Silver Coin exceeding One Fourth Part of the Gold Coin held by such Banker as aforesaid shall be taken into account, nor shall any Banker be authorized to make and issue Bank Notes in *Ireland* on any Amount of Silver Coin held by such Banker exceeding the Proportion of One Fourth Part of the Gold Coin held by such Banker as aforesaid.

Commission-  
ers of Stamps  
and Taxes  
empowered  
to cause the  
Books of  
Bankers,  
containing  
Accounts of  
their Bank  
Notes in Cir-  
culation,  
and of Gold  
Coin, to be  
inspected.

XXI. And whereas in order to ensure the rendering of true and faithful Accounts of the Amount of Bank Notes in Circulation, and the Amount of Gold and Silver Coin held by each Banker, as directed by this Act, it is necessary that the Commissioners of Stamps and Taxes should be empowered to cause the Books of Bankers issuing such Notes, and the Amount of Gold and Silver Coin held by such Bankers as aforesaid, to be inspected as herein-after mentioned; be it therefore enacted, That all and every the Book and Books of any Banker who shall issue Bank Notes under the Provisions of this Act, in which shall be kept, contained, or entered any Account, Minute, or Memorandum of or relating to the Bank Notes issued or to be issued by such Bank, of or relating to the Amount of such Notes in Circulation from Time to Time, or of or relating to the Gold or Silver Coin held by such Banker from Time to Time, or any Account, Minute, or Memorandum the Sight or Inspection whereof may tend to secure the rendering of true Accounts of the average Amount of such Notes in Circulation and Gold or Silver Coin held as directed by this Act, or to test the Truth of any such Account, shall be open for the Inspection and Examination at all seasonable Times of any Officer of Stamp Duties authorized in that Behalf by Writing signed by the Commissioners of Stamps and Taxes, or any Two of them; and every such Officer shall be at liberty to take Copies of or Extracts from any such Book or Account as aforesaid, and to inspect and ascertain the Amount of any Gold or Silver Coin held by such Banker; and if any Banker or other Person keeping any such Book, or having the Custody or Possession thereof or Power to produce the same, shall, upon demand made by any such Officer showing (if required) his Authority in that Behalf, refuse to produce any such Book to such Officer for his Inspection and Examination, or to permit him to inspect and examine the same, or to take Copies thereof or Extracts therefrom, or of or from any such Account, Minute, or Memorandum as aforesaid, kept, contained, or entered therein, or if any Banker or other Person having the Custody or Possession of any Coin belonging to such Banker shall refuse to permit or prevent the Inspection of such Gold and Silver Coin as aforesaid, every such Banker or other Person so offending shall for every such Offence forfeit the Sum of One hundred Pounds: Provided always, that the said Commissioners shall not exercise the Powers aforesaid without the Consent of the Commissioners of Her Majesty's Treasury.

Penalty for  
refusing to  
allow such  
Inspection.

All Bankers  
to return  
their Names  
once a Year

XXII. And be it enacted, That every Banker in *Ireland*, other than the Bank of *Ireland*, who is now carrying on or shall hereafter carry on Business as such, shall, on the First Day of *January* in each Year,

Year, or within Fifteen Days thereafter, make a Return to the Commissioners of Stamps and Taxes, at their Office in *Dublin*, of his Name, Residence, and Occupation, or, in the Case of a Company or Partnership, of the Name, Residence, and Occupation of every Person composing or being a Member of such Company or Partnership, and also the Name of the Firm under which such Banker, Company, or Partnership carry on the Business of Banking, and of every Place where such Business is carried on; and if any such Banker shall omit or refuse to make such Return within Fifteen Days after the said First Day of *January*, or shall wilfully make other than a true Return of the Persons as herein required, every Banker so offending shall forfeit or pay the Sum of Fifty Pounds; and the said Commissioners of Stamps and Taxes shall on or before the First Day of *March* in every Year publish in the *Dublin Gazette* a Copy of the Return so made by every Banker.

to the Stamp Office.

XXIII. And be it enacted, That if the monthly average Circulation of Bank Notes of any Banker, taken in the Manner herein directed, shall at any Time exceed the Amount which such Banker is authorized to issue and to have in Circulation under the Provisions of this Act, such Banker shall in every such Case forfeit a Sum equal to the Amount by which the average monthly Circulation, taken as aforesaid, shall have exceeded the Amount which such Banker was authorized to issue and to have in Circulation as aforesaid.

Penalty on Banks issuing in excess.

XXIV. And be it enacted, That all Promissory or other Notes, Bills of Exchange, or Drafts, or Undertakings in Writing, being negotiable or transferable, for the Payment of any Sum or Sums of Money, or any Orders, Notes, or Undertakings in Writing, being negotiable or transferable, for the Delivery of any Goods, specifying their Value in Money less than the Sum of Twenty Shillings in the whole, heretofore made or issued, or which shall hereafter be made or issued in *Ireland*, shall, from and after the First Day of *January* One thousand eight hundred and forty-six, be and the same are hereby declared to be absolutely void and of no Effect, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; and that if any Person or Persons shall, after the First Day of *January* One thousand eight hundred and forty-six, by any Art, Device, or Means whatsoever, publish or utter in *Ireland* any such Notes, Bills, Drafts, or Engagements as aforesaid, for a less Sum than Twenty Shillings, or on which less than the Sum of Twenty Shillings shall be due, and which shall be in anywise negotiable or transferable, or shall negotiate or transfer the same in *Ireland*, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds nor less than Five Pounds, at the Discretion of the Justice of the Peace who shall hear and determine such Offence.

Notes for less than 20s. not negotiable in Ireland.

XXV. And be it enacted, That all Promissory or other Notes, Bills of Exchange, or Drafts, or Undertakings in Writing, being negotiable or transferable, for the Payment of Twenty Shillings, or any Sum of Money above that Sum and less than Five Pounds, or on which Twenty Shillings, or above that Sum and less than Five Pounds, shall

Notes for 20s. and above, and less than 5l., to be drawn in certain Form.

shall remain undischarged, and which shall be issued within *Ireland* at any Time after the First Day of *January* One thousand eight hundred and forty-six, shall specify the Names and Places of Abode of the Persons respectively to whom or to whose Order the same shall be made payable, and shall bear Date before or at the Time of drawing or issuing thereof, and not on any Day subsequent thereto, and shall be made payable within the Space of Twenty-one Days next after the Date thereof, and shall not be transferable or negotiable after the Time hereby limited for Payment thereof, and that every Endorsement to be made thereon shall be made before the Expiration of that Time, and to bear Date at or not before the Time of making thereof, and shall specify the Name and Place of Abode of the Person or Persons to whom or to whose Order the Money contained in every such Note, Bill, Draft, or Undertaking is to be paid; and that the signing of every such Note, Bill, Draft, or Undertaking, and also of every such Endorsement, shall be attested by One subscribing Witness at the least; and which said Notes, Bills of Exchange, or Drafts, or Undertakings in Writing, may be made or drawn in Words to the Purport or Effect as set out in the Schedules to this Act annexed marked (D.) and (E.); and that all Promissory or other Notes, Bills of Exchange, or Drafts, or Undertakings in Writing, being negotiable or transferable, for the Payment of Twenty Shillings, or any Sum of Money above that Sum and less than Five Pounds, or in which Twenty Shillings, or above that Sum and less than Five Pounds, shall remain undischarged, and which shall be issued in *Ireland* at any Time after the said First Day of *January* One thousand eight hundred and forty-six, in any other Manner than as aforesaid, and also every Endorsement on any such Note, Bill, Draft, or other Undertaking to be negotiated under this Act, other than as aforesaid, shall and the same are hereby declared to be absolutely void, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; provided that nothing in this Clause contained shall be construed to extend to any such Bank Notes as shall be lawfully issued by any Banker in *Ireland* authorized by this Act to continue the Issue of Bank Notes.

Penalty for  
Persons  
other than  
Bankers  
hereby au-  
thorized  
issuing Notes  
payable on  
demand for  
less than  
Five Pounds.

XXVI. And be it enacted, That if any Body Politic or Corporate or any Person or Persons shall, from and after the said First Day of *January* One thousand eight hundred and forty-six, make, sign, issue, or re-issue in *Ireland* any Promissory Note payable on demand to the Bearer thereof for any Sum of Money less than the Sum of Five Pounds, except the Bank Notes of such Bankers as are hereby authorized to continue to issue Bank Notes as aforesaid, then and in either of such Cases every such Body Politic or Corporate or Person or Persons so making, signing, issuing, or re-issuing any such Promissory Note as aforesaid, except as aforesaid, shall for every such Note so made, signed, issued, or re-issued forfeit the Sum of Twenty Pounds.

Penalty for  
Persons  
other than  
Bankers  
hereby au-

XXVII. And be it enacted, That if any Body Politic or Corporate or Person or Persons shall, from and after the passing of this Act, publish, utter, or negotiate in *Ireland* any Promissory or other Note (not being the Bank Note of a Banker hereby authorized to continue to

to issue Bank Notes), or any Bill of Exchange, Draft, or Undertaking in Writing, being negotiable or transferable, for the Payment of Twenty Shillings, or above that Sum and less than Five Pounds, or on which Twenty Shillings, or above that Sum and less than Five Pounds, shall remain undischarged, made, drawn, or endorsed in any other Manner than as is herein-before directed, every such Body Politic or Corporate or Person or Persons so publishing, uttering, or negotiating any such Promissory or other Note (not being such Bank Note as aforesaid), Bill of Exchange, Draft, or Undertaking in Writing as aforesaid, shall forfeit and pay the Sum of Twenty Pounds.

thorized  
uttering or  
negotiating  
Notes, Bills  
of Exchange,  
&c., trans-  
ferable, for  
Payment of  
20s. or less  
than Five  
Pounds.

XXVIII. Provided always, and be it enacted, That nothing herein contained shall extend to prohibit any Draft or Order drawn by any Person on his Banker, or on any Person acting as such Banker, for the Payment of Money held by such Banker or Person to the Use of the Person by whom such Draft or Order shall be drawn.

Not to pro-  
hibit Checks  
on Bankers.

XXIX. And be it enacted, That all pecuniary Penalties under this Act may be sued or prosecuted for and recovered for the Use of Her Majesty, in the Name of Her Majesty's Attorney General or Solicitor General in *Ireland*, or of the Solicitor of Stamps in *Ireland*, or of any Person authorized to sue or prosecute for the same, by Writing under the Hands of the Commissioners of Stamps and Taxes, or in the Name of any Officer of Stamp Duties, by Action of Debt, Bill, Plaint, or Information in the Court of Exchequer in *Dublin*, or by Civil Bill in the Court of the Recorder, Chairman, or Assistant Barrister within whose local Jurisdiction any Offence shall have been committed, in respect of any such Penalty, or, in respect of any Penalty not exceeding Twenty Pounds, by Information or Complaint before One or more Justice or Justices of the Peace in *Ireland*, in such and the same Manner as any other Penalties imposed by any of the Laws now in force relating to the Duties under the Management of the Commissioners of Stamps; and it shall be lawful in all Cases for the Commissioners of Stamps and Taxes, either before or after any Proceedings commenced for Recovery of any such Penalty, to mitigate or compound any such Penalty, as the said Commissioners shall think fit, and to stay any such Proceedings after the same shall have been commenced, and whether Judgment may have been obtained for such Penalty or not, on Payment of Part only of any such Penalty, with or without Costs, or on Payment only of the Costs incurred in such Proceedings, or of any Part thereof, or on such other Terms as such Commissioners shall judge reasonable: Provided always, that in no such Proceeding as aforesaid shall any Essoign, Protection, Wager of Law, nor more than One Impar lance be allowed; and all pecuniary Penalties imposed by or incurred under this Act, by whom or in whose Name soever the same shall be sued or prosecuted for or recovered, shall go and be applied to the Use of Her Majesty, and shall be deemed to be and shall be accounted for as Part of Her Majesty's Revenue arising from Stamp Duties, any thing in any Act contained, or any Law or Usage, to the contrary in anywise notwithstanding: Provided always, that it shall be lawful for the Commissioners of Stamps and Taxes, at their Discretion, to give all

Mode of  
enforcing  
Penalties.

all or any Part of such Penalties as Rewards to any Person or Persons who shall have detected the Offenders, or given Information which may have led to their Prosecution and Conviction.

Companies  
to sue and  
be sued in  
the Names  
of their  
Officers.

6 G. 4. c. 42.

XXX. And be it enacted, That after the passing of this Act every Company or Copartnership of more than Six Persons established before the passing of this Act, for the Purpose of carrying on the Trade or Business of Bankers within the Distance of Fifty Miles from *Dublin*, shall have the same Powers and Privileges of suing and being sued, and of presenting Petitions to found Sequestrations or Fiats in Bankruptcy, in the Name of any one of the public Officers of such Company or Copartnership, as the nominal Plaintiff, Petitioner, or Defendant, on behalf of such Company or Copartnership, as are provided with respect to Companies carrying on the said Trade or Business at any Place in *Ireland* exceeding the Distance of Fifty Miles from *Dublin*, under the Provisions of an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act for the better Regulation of Copartnerships of certain Bankers in Ireland*; and all Judgments, Decrees, and Orders made and obtained in any Action, Suit, or other Proceeding brought, instituted, or carried on by or against any such Company or Copartnership carrying on Business within the Distance of Fifty Miles from *Dublin*, in the Name of their public Officer, shall have the same Effect and Operation, and may be enforced in like Manner in all respects, as is provided in and by the last-mentioned Act with respect to the Judgments, Decrees, and Orders therein mentioned; provided that every such Company or Copartnership as last aforesaid shall make out and deliver from Time to Time to the Commissioners of Stamps and Taxes the several Accounts or Returns required by the last-mentioned Act; and all the Provisions of the last-mentioned Act as to such Accounts or Returns shall be taken to apply to the Accounts or Returns so made out and delivered by the said last-mentioned Companies, as if they had been originally included in the Provisions of the last-mentioned Act.

Provision  
in case of  
Determi-  
nation of  
existing  
Agreement  
between  
Bank of Ire-  
land and  
Tipperary  
Joint Stock  
Bank.

XXXI. And whereas a certain Joint Stock Banking Company, called and known as "The *Tipperary* Joint Stock Bank," refrained from issuing its own Bank Notes, under a certain Agreement with the Governor and Company of the Bank of *Ireland* for the Issue of the Bank Notes of the said Governor and Company, which Agreement is determinable by either Party upon certain Notice to the other Party, and it is just that in case such Agreement should at any Time hereafter during the Continuance of this Act be determined and put an end to by the Governor and Company of the Bank of *Ireland*, that the said *Tipperary* Joint Stock Bank should receive by way of Compensation such Composition as hereafter mentioned; be it therefore enacted, That if the said Agreement shall be at any Time hereafter during the Continuance of this Act determined or put an end to by the Governor and Company of the Bank of *Ireland*, then and in such Case the said Governor and Company shall from the Termination of the said Agreement pay and allow to the said *Tipperary* Joint Stock Bank, so long as the latter shall continue to carry on the Business of a Bank and to issue exclusively the Notes of the Governor

Governor and Company of the Bank of *Ireland*, a Composition at and after the Rate of One *per Centum per Annum* on the average annual Amount of the Bank of *Ireland* Notes issued by the said *Tipperary* Joint Stock Bank, and kept in Circulation, such average annual Amount to be ascertained by the Bank of *Ireland* in the Manner provided for regulating the Compensation to be made to certain Bankers by the Bank of *England* in and by the Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to regulate the Issue of Bank Notes, and for giving to the Governor and Company of the Bank of England certain Privileges for a limited Period*: Provided always, that the total Sum payable to the *Tipperary* Joint Stock Bank by way of Composition as aforesaid in any One Year shall not exceed One *per Cent.* on an Amount that hath been agreed on by and between the Bank of *Ireland* and the *Tipperary* Joint Stock Bank, and certified by both Banks to the Commissioners of Stamps and Taxes; and such Composition shall cease to be payable from and after the First Day of *January* One thousand eight hundred and fifty-six.

XXXII. And be it enacted, That the Term "Bank Note" used in this Act shall extend and apply to all Bills or Notes for the Payment of Money to the Bearer on demand; and that the Term "Banker" shall, when the Bank of *Ireland* be not specially excepted, extend and apply to the Governor and Company of the Bank of *Ireland*, and to all other Corporations, Societies, Partnerships, and Persons, and every individual Person carrying on the Business of Banking, whether by the Issue of Bank Notes or otherwise; and that the Word "Coin" shall be construed to mean the Coin of this Realm; and that the Word "Person" used in this Act shall include Corporations; and that the Singular Number used in this Act shall include the Plural Number, and the Plural Number the Singular, except where there is any thing in the Context repugnant to such Construction; and that the Masculine Gender in this Act shall include the Feminine, except where there is any thing in the Context repugnant to such Construction.

XXXIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

# SCHEDULES referred to in the foregoing Act.

## SCHEDULE (A.)

Name and Title set forth in Licence - - - Bank.  
 Name of the Firm - - - Firm.  
 Head Offices or principal Places of Issue - - - Place.

AMOUNT of NOTES in Circulation on } £5 and upwards - £  
 Saturday the Day of } Under £5 - £  
 TOTAL - - £

AMOUNT of GOLD and SILVER COIN held at the head Office or principal Place  
 of Issue at the Close of Business on—

	Head Office at		Head Office at		Head Office at		Head Office at	
	Gold.	Silver.	Gold.	Silver.	Gold.	Silver.	Gold.	Silver.
Monday the								
Tuesday the								
Wednesday the								
Thursday the								
Friday the								
Saturday the								

TOTAL AMOUNT of COIN held at the Close of Business on Saturday the  
 Day of 18 .  
 Gold - - - £  
 Silver - - - £  
 TOTAL - - - £

[To be inserted in the Account at the End of each Period of Four Weeks.]

Amount of Notes authorized by Certificate - - - £  
 Average Amount of Notes in Circulation } £5 and upwards £  
 during the Four Weeks ending as above } Under £5 - £  
 Average Amount of Coin held during the said { Gold - £  
 Four Weeks - - - - - { Silver - £  
 TOTAL - - - £

I, being the [Banker, Chief Cashier, Director, or Partner,  
 as the Case may be], do hereby certify, That the above is a true Account of the  
 Notes in Circulation, and of the Coin held by the said Bank, as required under  
 the Act 8 & 9 Vict. c. .

(Signed) \_\_\_\_\_  
 Dated this Day of 18 .



SCHEDULE (B.)

Name and Title, as set forth in the Licence.	Name of the Firm.	Head Office or principal Place of Issue.	Circulation authorized by Certificate.	Average Circulation during Four Weeks ending the			Average Amount of Coin held during Four Weeks ending		
				£5 and upwards.	Under £5.	TOTAL.	Gold.	Silver.	TOTAL.

I hereby certify, That each of the Bankers named in the above Return who have in Circulation an Amount of Notes beyond that authorized in their Certificate [with the Exception of *A.B. or C.D., as the Case may be,*] have held an Amount of Gold and Silver Coin not less than that which they are required to hold during the Period to which this Return relates.

Dated this                      Day of                      18                      .

(Signed)                      Officer of Stamp Duties.

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SCHEDULE (D.)

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[Place] [Day] [Month] [Year]  
 Twenty-one Days after Date I promise to pay to *A.B.* of [Place],  
 or his Order, the Sum of \_\_\_\_\_ for Value  
 received by \_\_\_\_\_  
 Witness, *E.F.* *C.D.*

*And the Endorsement, toties quoties.*

[Day] [Month] [Year]  
 Pay the Contents to *G.H.* of [Place], or his Order.  
 Witness, *J.K.* *A.B.*

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SCHEDULE (E.)

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[Place] [Day] [Month] [Year]  
 Twenty-one Days after Date pay to *A.B.* of [Place], or his Order,  
 the Sum of \_\_\_\_\_ Value received, as advised  
 by \_\_\_\_\_  
 To *E.F.* of [Place]. *C.D.*  
 Witness, *G.H.*

*And the Endorsement, toties quoties.*

[Day] [Month] [Year]  
 Pay the Contents to *J.K.* of [Place], or his Order.  
 Witness, *L.M.* *A.B.*

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