



Bills of Exchange (Ireland) Act 1828

1828 CHAPTER 24 9 Geo 4

An Act
to consolidate and amend the Laws relating to
Bills of Exchange and Promissory Notes in Ireland.

[19th June 1828]

Textual Amendments

F1 Words repealed by [Statute Law Revision \(No. 2\) Act 1888 \(c. 57\)](#)

Modifications etc. (not altering text)

C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)

C2 Preamble omitted under authority of [Statute Law Revision Act 1890 \(c. 33\)](#)

1 F2

Textual Amendments

F2 [Ss. 1, 12](#) repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

2 F3

Textual Amendments

F3 [Ss. 2, 4, 7–11](#) repealed by [Bills of Exchange Act 1882 \(c. 61\)](#), [Sch. 2](#)

3 F4

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Bills of Exchange (Ireland) Act 1828. (See end of Document for details)

Textual Amendments

F4 Ss. 3, 5 repealed by Statute Law Revision Act 1891 (c. 67)

4 **F5**

Textual Amendments

F5 Ss. 2, 4, 7–11 repealed by Bills of Exchange Act 1882 (c. 61), **Sch. 2**

5 **F6**

Textual Amendments

F6 Ss. 3, 5 repealed by Statute Law Revision Act 1891 (c. 67)

6 Bills accepted in satisfaction of any former debt, to be deemed a full payment.

If any person doth or shall receive any such bill or note, for and in satisfaction of any former debt, or of any sum of money formerly due unto such person, the same shall be accounted and esteemed, at law and in equity, a full and complete payment of such debt, if such person so receiving any such bill or note for his debt shall not use due diligence to obtain payment thereof by endeavouring to get such bill accepted and paid, or such note paid, and also make his protest as aforesaid, either for non-acceptance or non-payment thereof, or otherwise give due notice of the dishonour thereof as aforesaid; provided that nothing herein contained shall extend to satisfy or discharge any other and different security or remedy that any person using such due diligence as aforesaid may have for the same debt against the drawer, acceptor, or indorser of such bill, or the maker or indorser of such note.

Modifications etc. (not altering text)

C3 “any such bill or note” means any bill of exchange or promissory note

7—11. **F7**

Textual Amendments

F7 Ss. 2, 4, 7–11 repealed by Bills of Exchange Act 1882 (c. 61), **Sch. 2**

12 **F8**

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Textual Amendments

F8 Ss. 1, 12 repealed by Statute Law Revision Act 1873 (c. 91)

13 **Notaries public, upon receiving bills, to enter and register the same in a book, to be open to inspection. Charges for registering, &c. Holders of bills may recover the amount of such charges from the acceptors. Notary may demand the amount of charges from the acceptor or maker of the bill, and if not paid may refuse to receive payment of the bill.**

And whereas it would be productive of great benefit to the holders of foreign and inland bills of exchange and promissory notes to cause the same to be presented by a notary public and (if necessary) noted for non-acceptance or non-payment, either with a view to a future protest or otherwise, or whether such bills or notes may have been previously presented for acceptance or payment by such holders thereof, or otherwise; and also that such notary shall fairly and truly register and copy such bill of exchange or promissory note as he may so present; and it is therefore expedient to regulate the charges which such notary public may lawfully make in relation to such noting, presentment, registering, and copying: Be it therefore enacted, that whenever any bill of exchange or promissory note shall be sent or delivered to any notary public in Ireland, for any of the purposes aforesaid, the same shall be by him forthwith registered and copied in a book to be kept by him for that purpose; and for which registering and copying he shall be entitled and is hereby authorized to make a charge of [F⁹5p], whether such bill shall be afterwards noted or protested or not; and such notary shall be further entitled to make an additional charge of [F⁹7½p] for presenting or causing to be presented any such bill or note for payment or acceptance (as the case may be); and such notary shall be further entitled to make an additional charge of [F⁹7½p] for noting every such bill or note, when the same shall be dishonoured for non-acceptance or non-payment, as the case may be; provided the place where such presentment shall be made shall be within the limits or within the bounds of any city or town in Ireland: Provided always, that every such charge as such notary public shall be so entitled to make as aforesaid shall in all cases be paid and payable to such notary by the holder or holders of such bills or notes; and every such holder shall be entitled and is hereby authorized to recover over, from the acceptor of any such bill of exchange, or maker of any such promissory note, or other party or parties liable to such holder upon such bill or note, the full amount of such notary's charge as aforesaid, for registering and copying the same in his books as aforesaid, in case such bill or note shall, previously to its being sent or delivered to such notary for the purpose aforesaid, have been duly presented for acceptance or payment, and, if same be payable, shall not have been paid, or the amount thereof duly and legally tendered, or in case the same, though it may not have been so previously presented and dishonoured, shall not, upon being duly presented by such notary, be duly honoured by acceptance or payment thereof, as the case may be; and every such holder shall be further entitled and is hereby authorized to recover over, from such acceptor or maker of such bill or note, or other party or parties thereto, being liable thereon to such holder as aforesaid, the full amount of such notary's said charge for presenting or noting the same, in case the same shall not, upon being so duly presented by such notary as aforesaid, be duly honoured by acceptance or payment thereof, as the case may be: Provided also, that such holder shall be entitled and is hereby authorized to recover over, in like manner, from such acceptor or maker of such bill or note, or other party or parties thereto, as last aforesaid, the full amount of such notary's charge for presenting the same, in case (notwithstanding such acceptance

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or payment thereof, upon such presentment by such notary as aforesaid) the same had been previously thereto duly presented to such acceptor or maker for acceptance or payment thereof, and such acceptance or payment had not been made: Provided also, that in all cases where the holder of such bill or note shall be entitled, under the aforesaid provisions of this Act, to recover from the acceptor or maker of such bill or note, or other party or parties thereto, such notary's charge for registering and copying in his books, or presenting the same for payment, or noting the same as aforesaid, it shall be lawful for such notary, at the time of presenting such bill or note for the payment thereof, to demand from the acceptor or maker thereof, or the person paying the same, the full amount of such charge or charges, over and above the sum specified in such bill or note; and in case such acceptor or maker shall, on such demand, refuse to pay such notary the full amount of such charge or charges, it shall and may be lawful for such notary to refuse to receive payment of the sum specified in such bill or note, or the acceptance of such bill, notwithstanding that the same may be tendered; but every such bill or note shall, by reason of such refusal to pay such charge or charges as aforesaid, be deemed to be and shall be dishonoured to all intents and purposes whatsoever.

Textual Amendments
F9 Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\), s. 10\(1\)](#)

14 Sums allowed for protesting.

Every such notary public or other person as aforesaid shall be entitled to a sum of [F1020p] for protesting any foreign bill of exchange, over and above all stamp duty payable upon such protest, and also over and besides the sum of [F105p] for registering and copying such bill, as herein-before provided.

Textual Amendments
F10 Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\), s. 10\(1\)](#)

15 F11

Textual Amendments
F11 [Ss. 15, 16](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\), Sch. 1 Pt. XI](#)

16 F12

Textual Amendments
F12 [Ss. 15, 16](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\), Sch. 1 Pt. XI](#)

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17 Act not to repeal former Acts, except so far as is provided.

Provided always, that nothing in this Act contained shall be construed to repeal or alter the provisions of any Act relating to bills of exchange or promissory notes now in force in Ireland, saving so far as the same are repealed or altered by the express provisions of this Act.

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