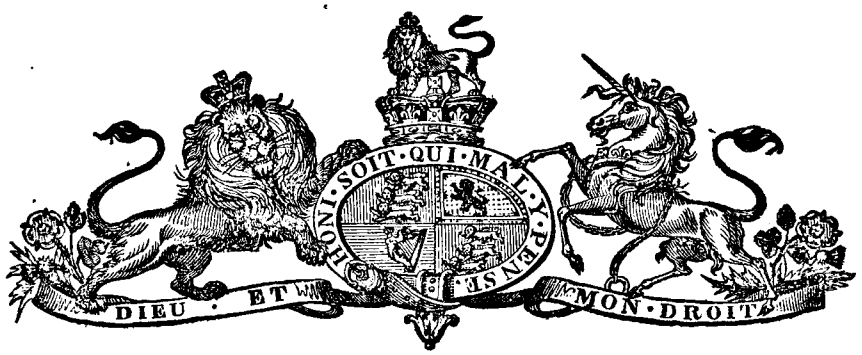


ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

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CAP. LXXV.

An Act to regulate Joint Stock Banks in *Scotland* and *Ireland*. [26th *August* 1846.]

WHEREAS an Act was passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to regulate Joint Stock Banks in* England, and it is expedient to extend the Provisions of the said Act to *Scotland* and *Ireland*: Be it 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 all the Provisions of the said Act (except as hereinafter excepted) shall extend to *Scotland* and *Ireland*, and to every Company of more than Six Persons who shall carry on the Trade or Business of Bankers in *Scotland* or *Ireland* after the passing of this Act, as if the first-recited Act were herein re-enacted, with the Substitution of the Words "United Kingdom of *Great Britain* and *Ireland*," instead of the Word "*England*," wherever the same is found in the said Act: Provided always, that where by the said Act Enactments are made with reference to Agreements or Covenants of Copartnership entered into on or after the Sixth Day of *May* last passed, before the passing of the said Act, and Companies carrying on or established for the Purpose of carrying on the Trade

7 & 8 Vict. c. 113.

Provisions of recited Act extended to Scotland and Ireland.

or

or Business of Bankers in *England* on or before the said Sixth Day of *May*, the same Enactments shall be deemed to apply in *Scotland* and *Ireland* only to Agreements or Covenants of Copartnership entered into on or after the Ninth Day of *August* One thousand eight hundred and forty-five, and Companies carrying on or established for the Purpose of carrying on the Trade or Business of Bankers in *Scotland* or *Ireland* on or before the said Ninth Day of *August*: Provided always, that nothing herein contained shall extend to apply to *Scotland* or *Ireland* so much of the said recited Act as declares what Companies shall be deemed trading Companies within the Provisions of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act for facilitating the winding up of the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements.*

Nothing herein to apply certain Part of recited Act to Scotland or Ireland. 7 & 8 Vict. c. 111.

Nothing in this Act to preclude Creditors in Scotland from Remedies, &c. competent to them before the passing thereof.

II. And be it declared and enacted, That nothing herein or in the first-recited Act contained shall be held to preclude any Creditor of any such Company in *Scotland* from any Remedy or Proceeding now competent to such Creditor by the Law of *Scotland* against such Company or the Partners thereof, or the Property, Funds, or Effects of such Company or of the Partners thereof, or to preclude any Partner of any such Company in *Scotland* from any Remedy or Proceeding now competent to such Partner by the Law of *Scotland* against such Company or any of the other Partners thereof, or against the Property, Funds, or Effects of such Company or Partners.

Interpretation of Act.

III. And be it enacted, That the following Words and Expressions in the first-recited Act shall have in *Scotland* the several Meanings hereby assigned to them, unless there be something in the Subject Matter or Context repugnant to such Construction; (that is to say,) the Expression "Copy of the Register of such Marriage, or other Particulars of the Celebration thereof," shall be held to include all legal Evidence of such Marriage; the Expression "Probate of the Will or Letters of Administration, or an official Extract therefrom," shall be held to include the Will itself, or an official Extract therefrom, or Confirmation of an official Extract therefrom; the Expression "Committee of such Idiot or Lunatic" shall be held to include any Curator or other Person having by lawful Authority the Right to receive the Funds of such Idiot or Lunatic.

Banking Companies established since 9th August 1845, may carry on Business until the 31st Dec. 1846, and no longer;

IV. And whereas certain Companies of more than Six Persons are now carrying on the Trade and Business of Bankers under Agreements or Covenants of Copartnership entered into since the Ninth Day of *August* One thousand eight hundred and forty-five, and it is expedient to allow to such Companies a certain Time within which they may be at liberty to comply with the Provisions of this Act; be it therefore enacted, That any Company of more than Six Persons which shall be now carrying on the Trade and Business of Bankers under Agreements or Covenants of Copartnership entered into subsequently to the said Ninth Day of *August* may continue to carry on the said Trade and Business until the Thirty-first Day of *December* One thousand eight hundred and forty-six and no longer, any thing

in this Act to the contrary notwithstanding: Provided always, that it shall be lawful for every such Company to apply to Her Majesty for Letters Patent under the Provisions of this Act in the same Manner as if such Company had carried on the Trade and Business of Bankers under an Agreement entered into before the said Ninth Day of *August;* and if Her Majesty shall be pleased to grant to such Company Letters Patent on or before the Thirty-first Day of *December* One thousand eight hundred and forty-six, it shall be lawful for such Company thereafter to carry on their Trade and Business of Bankers as aforesaid according to this Act, and not otherwise.

but may apply for Letters Patent under this Act;

if Letters Patent granted, Company to carry on Business according to this Act.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this Session of Parliament.

Act may be amended, &c.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1846.