ANNO VICESIMO SEPTIMO ET VICESIMO OCTAVO

# VICTORIÆ REGINÆ.

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## No. XI.

## An Act to prevent the unauthorized Issue of Bank Notes and paper Currency.

[7th July, 1864.

WHEREAS it is expedient to prevent the Issuing of Bank Notes within the Colony of Vancouver Island, by any Person or Association of Persons, unauthorised by Royal Charter, or by An Act of the Legislature of the said Colony, or by this Act: Be it therefore enacted by the Governor, on Her Majesty's behalf, by and with the Advice and Consent of the Legislative Council and Assembly, as follows:

What Banks may issue Notes.

I. That from and after the Passing of this Act, no Person or Association of Persons, Body Corporate or Politic, except Banks incorporated by Royal Charter, or authorized by an Act of the Legislature of Vancouver Island and its Dependencies, or actually issuing on or before the first of January, One Thousand Eight Hundred and Sixty-Four, promissory Notes payable to Bearer on demand, shall make or issue any Bank Note or Bill in the Form or Nature of a Bank Note payable to Bearer on demand, and purporting to be intended to pass as Money.

Where Notes are to bear Date.

II. All such Notes as aforesaid, which may be issued by any Bank duly authorized thereto, under the Provisions of this Act, shall bear Date at the City, Town, or Place, at and from which the same respectively shall be made and issued, and the same respectively shall, in all Cases, be payable in Specie on demand, at the Place of Date, and also at the principal Office in the Colony of the Bank so issuing such Notes, and the total Amount of such Notes in circulation, shall not, at any One Time, exceed the Amount of the paid-up Capital of the Bank, so issuing such Notes, and such Bank shall, at all Times, hold within the Colony a Reserve in legal Tender Coin, not less in Amount than one-third Part of the total Amount of Notes so issued as aforesaid.

III. That

Inspection of Books by Colonial Treasurer, and Colonial Auditor, or other authorised Persons.

III. That it shall be lawful for the Governor of the said Colony at any Time to authorize the Colonial Treasurer and Colonial Auditor, or such other Two or more Persons as he may think proper, to proceed to any Banking Establishment within the said Colony, issuing Promissory Notes payable to Bearer on demand, and to call for and examine the Books of such Establishment, necessary to ascertain the total Amount of Notes issued and in Circulation, and that the Reserve so required to be held as aforesaid, is in accordance with this Act; and every Managing Director, Manager, Chief Cashier, or Clerk, as the Case may be, of such Banking Establishment, who shall refuse to produce and exhibit such Books of such Establishment, or the Coin so required to be held in Reserve as aforesaid, when required so to do by the Officers or Persons duly authorized as aforesaid, shall, for every such Offence, forfeit to Her Majesty, Her Heirs and Successors, a penal Sum not exceeding Five Hundred Dollars, to be recovered as hereinafter provided.

Registration within Fourteen days after passing of this Act.

IV. That every Managing Director, Manager, Chief Cashier, or Clerk, as the case may be, of any Bank issuing Notes as aforesaid, shall, within Fourteen Days after the Passage of this Act, declare and record in the Office of the Registrar of the Supreme Court of Vancouver Island, the Amount of the paid-up Capital of the Bank or Establishment which he may represent, and every Manager, Managing Director, Chief Cashier, or Clerk as aforesaid, neglecting or refusing to make such Declaration, shall, for every such Offence, forfeit to Her Majesty, Her Heirs and Successors, a penal Sum of Five Hundred Dollars, to be recovered as hereinafter provided.

Unauthorized or excessive Issue of Notes.

V. That any Person, or Association of Persons, not duly authorized under the Provisions of this Act, who shall, after the Passage of this Act, issue or re-issue any Promissory Note payable to Bearer on demand, or any Person or Association of Persons duly authorized to issue such Promissory Notes, under the Provisions of this Act, who shall exceed the Amount of Issue of such Notes, to which he or they is or are restricted by this Act, shall, for every such Offence, forfeit to Her Majesty, Her Heirs and Successors, the penal Sum of Five Hundred Dollars, to be recovered as hereinafter provided.

Non-chartered Bank not to issue Notes after first March, 1865.

VI. Provided, nevertheless, that no Issue of Bank Notes as aforesaid, by any Bank not having a Royal Charter, or Act of the Legislature of Vancouver Island, shall continue under the Provisions of this Act after the first day of March, 1865.

Denomination of Notes.

VII. That on and after the Passage of this Act, Notes of a lower Denomination than Five Dollars, or of a Denomination other than a Multiple of Five Dollars, shall not be issued by any Bank, authorized to issue Bank Notes under this Act.

Penalties, how recoverable.

VIII. All Penalties under this Act shall be recovered in the Supreme Court of Vancouver Island, in the name of the Attorney General, or other Officer duly authorized in that Behalf.

Short Title.

IX. This Act may be cited for all purposes as "The Bank Note Act, 1864."

Passed

Passed the Legislative Assembly 9th February, 1864.

R. W. TORRENS,
CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council 6th April, 1864.

E. J. NESBITT,
CLERK OF THE LEGISLATIVE COUNCIL.

Received my Assent this 7th July, 1864.

A. E. KENNEDY,
GOVERNOR.

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