

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1837. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1837.

7 William IV – Chapter 6 (Session 2)

An Act to prevent the issue of Private Bank Notes in this Province. Passed 22d July 1837.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act it shall not be lawful for any person or persons whomsoever to make, issue, circulate or pass in this Province, any bill, note, draft, check or undertaking for the payment of money, struck from a steel, copper, brass, zinc or other plate of metal, or lithographed, engraved or printed in any way or manner whatsoever, as and for or to serve the purposes of Bank notes or a circulating currency: Provided always, that nothing in this Act contained shall extend or be construed to extend to prevent any person from making, endorsing or transferring any foreign or inland bill of exchange, payable to a bona fide payee or order, or from passing or transferring any note or bill of the Bank of England, or of any incorporated Banking Company in this Province, or in Great Britain or Ireland, the United States, or any of His Majesty's North American Colonies, or of any joint stock Banking Company sanctioned by any Act of the Imperial Parliament, or of the General Assembly of this Province, although not incorporated, or from passing or transferring any draft, check or order on any Banking Company or banker, or on any other person or persons with the purpose and intent that such draft, check or order shall be paid by the person or persons on whom the same may be drawn, or to whom the same may be addressed, or to prevent any person or persons from making his, her or their promissory notes payable bona fide to or to the order of the person or persons who shall be named in any such promissory note as the payee or payees thereof; provided the same be not expressed or intended to be transferred, passed or circulated merely by the delivery thereof as and for or to serve the purposes of Bank notes or a circulating currency.

II. And be it further enacted, That all and every person or persons who shall offend against any provision of this Act, shall for each and every offence forfeit and pay the sum of five pounds, to be recovered by any person or persons who shall or may sue for the same; and all and every person or persons are hereby authorised to sue for and recover such penalty in his, her or their own names by action of debt to and for his, her or their own use in any Court of this Province having jurisdiction in actions of debt to the amount of such penalty: Provided always, that nothing in this Act contained shall extend or be construed to extend to affect any notes now actually in circulation until after the first day of July next, which will be in the year of our Lord one thousand eight hundred and thirty eight: Provided also, that nothing in this Act contained shall extend or be construed to extend to affect or interfere with the Bank of Fredericton so called.