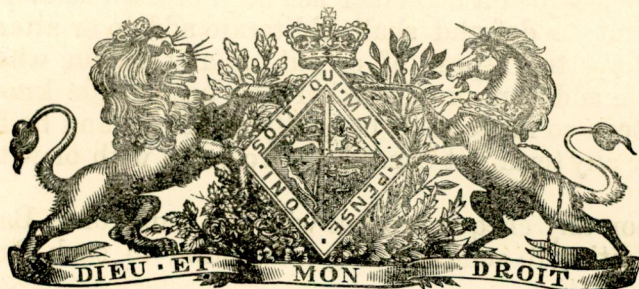


This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council Chamber,
Sydney, 2 February, 1876. }

For JOHN J. CALVERT,
Clerk of the Parliaments.
ADOLPHUS P. CLAPIN,
Clerk Assistant.

New South Wales.



ANNO TRICESIMO NONO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Law respecting Cheques and Drafts.

WHEREAS it is expedient to amend the Law respecting Cheques Preamble.
and Drafts Be it enacted by the Queen's Most Excellent
Majesty by and with the advice and consent of the Legislative Council
and Legislative Assembly of New South Wales in Parliament
5 assembled and by the authority of the same as follows:—

1. In the construction of this Act the word "Banker" shall Definition of Cheque
and Banker.
include every person partnership Corporation or Joint Stock Company
carrying on the business of banking or ordinarily paying drafts and
orders drawn on such person partnership Corporation or Company for
10 money payable on demand and the word "cheque" shall include every
draft or order on a Banker for money payable on demand whether to
order or to bearer.

2. When a cheque on any Banker has been crossed with the name The crossing to be
deemed a material
part of a cheque.
of a Banker or with two transverse lines and the word "Bank" or the
15 words "and Company" or any abbreviation thereof respectively such
crossing whether made when the cheque was issued or afterwards by the
holder thereof shall be deemed a material part of the cheque And the
Banker upon whom such cheque is drawn shall not pay it to any other
than the Banker with whose name it is crossed or if crossed without a
20 Banker's name to any other than a Banker.

Cheques and Drafts Amendment.

3. Provided always that where a Banker pays a cheque which does not when presented plainly appear crossed or on which the crossing does not plainly appear to have been obliterated or altered such Banker shall incur no liability by reason of such cheque having been
 5 crossed or of the crossing thereon having in fact been obliterated or altered and of his having paid the cheque to a person other than a Banker or other than the Banker with whose name it was crossed unless he shall have been guilty of fraud or negligence in making such payment.
- 10 4. When a cheque has been crossed with the word "Bank" or the words "and Company" or any abbreviation thereof respectively but without any Banker's name any lawful holder of such cheque may cross the same with the name of a Banker and when a cheque is uncrossed any
 15 "and Company" or any abbreviation thereof with or without a Banker's name and such crossings respectively shall be of the same effect as if on the cheque when issued.
- 20 5. When any cheque on a Banker has been crossed as aforesaid whosoever with intent to defraud shall obliterate add to or alter any such crossing or offer utter dispose of or put off any cheque whereon any such obliteration addition or alteration has been made knowing the same to have been so made shall be guilty of felony and be liable to imprisonment for any term not exceeding two years with or without hard labour.
- 25 6. When upon any cheque crossed with the name of a Banker there shall be in addition to such crossing a direction to such Banker to place the amount to the credit of a named firm or person whosoever with intent to defraud shall obliterate add to or alter such direction shall be guilty of felony punishable as aforesaid. But nothing in this
 30 section shall extend the liability of the Banker on whom such cheque is drawn or compel him to see to the application of the money in accordance with any such direction.
- 35 7. This Act may for all purposes be cited as the "Bankers' Cheques Amendment Act" And after the passing hereof the Act passed in the twentieth year of Her Majesty to amend the laws relating to Drafts on Bankers (twentieth Victoria number seven) shall be repealed.

Paying a cheque which does not plainly appear crossed &c.

The lawful holder of a cheque may cross the same.

Obliterating crossing on cheques or drafts.

Crossed cheques with special direction.

Title of Act. Repeal of 20 Vic. No. 7.