

# History of the Rise and Progress of Joint Stock Banks in England; With a Statement of the Law Relating to Them Also an Analysis of the Evidence Before



This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated.1837 Excerpt: ... THE QUESTION OF LIMITED LIABILITY CONSIDERED. There are few subjects connected with the Joint Stock system which have been more canvassed, or on which more difference of opinion has been entertained than the extent to which the shareholders should be liable. There appears to have been an impression that the liabilities of a bank of issue must, owing to its circulation, be greater than those of banks of deposit, and discount only; this distinction is however very doubtful, as those Joint Stock Banks which do not issue notes have exclusive facilities granted them by the Bank of England, which they find nearly as advantageous as if they had a circulation. The Bank of England supplies them with its notes for their needful circulation to a certain extent, and take bills of exchange at a low rate of interest in payment for that circulation; there is consequently a certain amount of bills always under discount for which the Joint Stock Bank is liable as indorser. The liabilities of these banks are as extensive as if they had discounted with capital, and they are equally liable to be called on suddenly for their deposits as banks of issue raised by the circulation of their own paper, and there is therefore no reason why their responsibility to the public should be less than in the case of banks of issue. Mr. Clay, in his speech on moving for the Committee, proposed limited responsibility in conjunction with paid-up capital and publicity as the grand panacea for the evils he dreaded from Joint Stock Banks, and the pertinacity with which he endeavours to extract a confirmation of his ideas from the witnesses examined before the Committee is very amusing. We find however that

almost all the witnesses are averse to any restriction of liability, and it may fairly be as...

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