

So the House refused to strike out.

Mr. Buskirk then moved to amend the said bill by inserting the following as an additional section, to come in after the third section :

“Section 4. And be it enacted, That if the said banks, or either of them, shall at any time refuse to pay on demand, any and all of its notes, bills, deposits and other liabilities, (except such as may have been made and contracted under special agreement to the contrary,) in gold and silver coin, it shall and may be lawful for any person or persons, or the agent or attorney of any body corporate, who shall have been refused gold or silver in payment as aforesaid, to make oath or affirmation of such refusal before the county court of the county in which said bank is situated, or in vacation of said court, before either of the judges thereof; and upon such oath or affirmation being made, it shall be the duty of the said court, or in vacation thereof, of the judge before whom such oath or affirmation shall be made, to appoint a particular day, not exceeding thirty days, after such oath or affirmation is made, as the time, and the room in which the county court of said county is usually held, as the place for the hearing of the said information; and it shall be the duty of the said county court, or in vacation, the judge before whom such oath or affirmation is made as aforesaid, to give or cause to be given notice thereof, not exceeding twenty days, to the president or cashier of said bank; and the person or persons, or body corporate making oath or affirmation, as aforesaid, shall be authorised to employ counsel to prosecute the cause in his, her, their or its behalf, and if the allegation or information charged or set forth in said oath or affirmation, be substantiated or proved by testimony to the satisfaction of said court, or in vacation, of the judge thereof, as aforesaid; then and in that case, it shall be the duty of the said court, or in vacation, of the judge thereof as aforesaid, forthwith to issue a writ, directed to the sheriff of the said county, commanding him to close said bank forthwith, and to deliver over to three trustees, appointed by the said court, or in vacation, by the judge thereof, as aforesaid, and named in said writ, full and absolute possession of the books, monies, property, keys and effects whatever of said bank, which trustees shall give bond to the State of Maryland, before the issuing of said writ, in such sum and with such security as the said court, or in vacation, the said judge may direct, for the faithful performance of their duties; and it shall be thereupon the duty of said trustees to provide as soon as may be, to close and settle up the affairs of said bank, in the same manner as the estates of insolvent debtors shall be settled up, under and by virtue of the laws existing at the time of such oath or information, as aforesaid.

“Sec. 5. And be it enacted, That if any officer or agent of said bank, or any other person, having custody of the keys, or any part of the books, monies, property or effects whatever of said