

Sec. 5. And be it enacted, that if a greater number of shares shall be subscribed to the capital stock of said bank, than is authorized by this act, the said president and directors, as commissioners or a majority of them may reduce the subscription in such manner as they shall deem equitable, but without reducing any subscription which may be made thereto by the Treasurer of the Western Shore of Maryland, as Trustee, or on behalf of this State; and in case any subscriber shall have paid a greater sum of money at the time of subscribing than at the rate of five dollars per share on shares to him appropriated and allotted, the commissioners shall only retain the sum required as the first payment on these shares, and forthwith return the surplus on application for the same, to the persons lawfully entitled thereto: and upon every subscription there shall be paid at the time of subscribing, to the said Commissioners or their agents appointed to receive such subscriptions, the sum of five dollars per share, and the said Commissioners shall deposit, by them or their agents, in some place of safe keeping, to be in part returned in the case of an excess of subscription as herein before provided, and the residue to be added to the capital stock of the said Bank;—and they shall be allowed all reasonable charges and expenses incurred in the execution of their duty as commissioners, to be paid out of the funds of the said bank. And every subscriber shall pay on each share of his stock, four instalments of five dollars each, in addition to the sum of five dollars, payable as aforesaid, at the time of subscription, at such times as it may be required by the President and Directors of said Bank, provided that not more than one instalment be demanded in any one month, nor until ninety days public notice be given of such demand by the President and Directors, through all the daily newspapers published in the city of Baltimore.

On motion of *Mr. Merrick*, said bill was further amended by striking out in the 12th section 12th line, from the word "interest," to the end thereof.

On motion of *Mr. Merrick*, said bill was further amended by adding at the end of the 13th section thereof, the following:

"Provided the concerns of said Bank shall before any such demand is made or set off, attempted, be or become in process of being wound up for equitable distribution of its assets among all its creditors."

On motion of *Mr. Merrick*, said bill was further amended