

CHAPTER 177.

AN ACT to facilitate the recovery of Debts due from the several Banks in this State, and to compel the said Banks to pay specie for their notes, or forfeit their charters.

Other laws are, 1834, ch. 305 ; 1837, ch. 315.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That any person having a claim upon or holding a note of any bank in this state, under fifty dollars, after demand of payment of such claim or note at the bank, and refusal or neglect to pay, may recover judgment for the same before a justice of the peace of the county where the bank is established.

Bank refusing payment of note, the same may be recovered before a justice of peace.

SEC. 2. *And be it enacted,* That the proceedings under the above provision shall be a summons to be served by the proper officer on the president or cashier of the bank, or to be left at the banking house, during the usual banking hours ; and in all other respects shall be according to the provisions of an act,* entitled, an act for the speedy recovery of small debts out of court, and to repeal the acts of assembly therein mentioned, and the supplements thereto.

Proceedings in such case.

* 1791, ch. 68.

SEC. 3. *And be it enacted,* That any bank neglecting or refusing to pay its debts, shall pay an interest at the rate of six per centum per annum, to commence from the time of demand of payment of the particular debt, and neglect or refusal to pay.

Bank neglecting to pay its debt to pay an interest of six per cent.

SEC. 4. *And be it enacted,* That upon application made to any county court in this state, supported by affidavit to be filed in the case, stating the fact, that a bank located in the county refuses to pay specie for its notes, and upon the court being fully satisfied that such bank does refuse to pay specie for its notes, the said court may and hereby is authorized and empowered, to order its clerk to issue a scire facias, in the name of the state of Maryland, directed to the said bank, by its corporate name and style, to shew cause why its charter shall not be declared forfeited by the judgment of the said court.

County courts, on application, when banks refuse specie for their notes, to issue scire facias, &c.

SEC. 5. *And be it enacted,* That after satisfactory proof of service of any scire facias, issued under this act, the court may upon proof of the fact or refusal by the bank to pay specie for its notes, after a full investigation of the concerns and situation of the bank, if in their judgment and opinion the public interests shall require it, declare and adjudge the charter of the bank to be forfeited.

After proof of serving, court may declare charter forfeited.

SEC. 6. *And be it enacted,* That the court declaring and adjudging the forfeiture of the charter of any bank, (if in their opinion the interest of the creditors shall require it,) shall appoint three commissioners to settle and close the concerns of said bank, and shall thereupon pass an order directing the president, cashier, directors and all officers of the bank, to deliver up the

Court to appoint commissioners to settle concerns of bank.