

books and property of said bank of every description, to the said commissioners.

To determine manner of their proceeding.

SEC. 7. *And be it enacted*, That the said court shall determine and adjudge the course and manner of proceeding to be pursued by the said commissioners in the performance of their trust, and in the collection, by instalments or otherwise, of the debts due to the banks, always taking care of the interests of the creditors of the bank in the first place, and then the interests of the stockholders; and the said commissioners before they proceed to act, shall jointly and severally give bond to the state of Maryland, with security to be approved by the court, in the penalty of such sum as the court shall think requisite, for the faithful discharge of the trust reposed in them, and for the execution and performance of any future order of the court in the premises, which bonds shall be filed and recorded with all other of the proceedings, and a copy of the same, authenticated in the usual form, shall be evidence in any court of law or equity in this state; and in any suit or suits brought on said bonds, wherein an authenticated copy of the same shall be offered in evidence, the plea of non est factum shall not be received to any such action, unless the same is verified by the affidavit of the defendant or defendants tendering the same.

Persons aggrieved by commissioners may put their bond in suit.

SEC. 8. *And be it enacted*, That any person conceiving himself or herself aggrieved by the conduct of the commissioners to be appointed under this act, may put the said bonds in suit, and recover such damages as shall be assessed by a jury, under the direction of the court.

Officer refusing to deliver up books or property, to be sued.

SEC. 9. *And be it enacted*, That if any officer or director shall refuse to deliver up to the commissioners to be appointed as aforesaid, any books or property of the bank, the officer or director so offending shall be liable to be sued by the said commissioners, in a special action on the case, for the recovery of the value or amount thereof, and the jury shall give damages to the said full value or amount, and the court before whom the recovery shall be had shall treble the said damages and give judgment therefor with costs.

Commissioners may recover debts due the bank.

SEC. 10. *And be it enacted*, That the commissioners to be appointed under this act, may recover any debt due to the bank, in a suit to be instituted, in the corporate name or style of the institution.

Their commission

SEC. 11. *And be it enacted*, That a commission, at the discretion of the court, not exceeding five per cent. shall be allowed such commissioners.

Not to take effect until 1st of Jan. next on certain banks.

SEC. 12. *And be it enacted*, That this act shall not take effect, and be in force, until after the first day of January next, in relation to any bank which regularly paid specie for its notes from the first day of May last to the first day of October last.