

shall respectively receive and recover interest on said bills, notes, obligations and deposits, until the same shall be fully paid and satisfied, at the rate of twelve per centum per annum from the time of such demand; *Provided*, and so far as the assets of said bank shall be sufficient to pay over and above the sum of its debt and common interest thereon, the said extra rate of interest; *and provided however*, the power is reserved to this State to revoke this charter, if at any time the said bank refuses or fails to pay specie for any of its notes.

Proviso

SEC. 11. *And be it enacted*, That if the said bank shall neglect or refuse to pay as aforesaid, any of its bills, notes, obligations or money received on deposit, the holder of such notes, bills or obligations, or the person or persons entitled to demand and receive such money, shall be respectively entitled only to demand and receive as creditor, or as debtor, to claim and set off such part of the [sum] of its assets as shall be actually distributable and payable to such creditor or debtor at the time when such claim or demand may be made; *Provided*, the concerns of said bank shall be or become before any such demand is made or set off attempted, in process of being wound up for equitable distribution of its assets among all its creditors.

Rights as to set off

Proviso

SEC. 12. *And be it enacted*. That if the said bank shall at any time suspend its payments, the assets which said bank may hold, or be in any wise entitled to, at the time of such suspension of payment, shall be ratably distributed to, and amongst all the persons who shall be its creditors at such time, and to their assigns respectively.

Assets

SEC. 13. *And be it enacted*, That whenever required by law, the said bank shall do and perform the several, respective and appropriate duties of commissioners of loans for this State, without charging or claiming any allowance whatsoever for the same.

Act as commissioners of loans

SEC. 14. *And be it enacted*, That at any time hereafter, the notes or issues of [this corporation, commonly called and known as bank notes, may be restricted by the legislature, to a denomination not less than that of the notes, or issues of] any other incorporated bank

Power reserved as to restriction of notes