

capital stock of said bank, and within thirty days after such augmentation shall be made.

CHAP. 320.

SEC. 15. *And be it enacted*, That if at any time the said bank neglect or refuse to pay in gold and silver any of its notes, bills or obligations, or any money received on deposit in violation of the contract, promise or undertaking of said bank; the person or persons entitled to demand and receive such payment, shall respectively receive and recover interest on said bills, notes or 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 the said extra rate of interest over and above the sum of its debt and common interest thereon.

On failure, right to interest

Proviso

SEC. 16. *And be it enacted*, That if the said bank shall neglect or refuse to pay as aforesaid, any of its notes, obligations, bills or money received on deposit, the holder of such note, bill or obligation, 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 sett 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 of debtor and creditor.

Proviso

SEC. 17. *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 anywise entitled to, at the time of such suspension of payment, shall be rateably distributed to and among all the persons who shall be its creditors at such time, and to their assigns respectively.

Distribution of assets

SEC. 18. *And be it enacted*, That this act shall continue and be in full force and effect, until the year eighteen hundred and sixty, and until the end of the first session of the general assembly that shall happen thereafter.

In force till 1850