

CHAP. 341.

may be: I do swear, or affirm, that I will faithfully, impartially, diligently and honestly execute the duties of _____ agreeably to the provisions of law and the trust reposed in me, to the best of my skill and judgment.

Limit of debts

ART. 6. The total amount of the debts which the said corporation shall at any time owe, exclusive of its issues or notes, usually denominated bank notes, whether by bond, bill, note or other contract, shall not exceed the actual capital, unless the contracting of a greater debt shall have been previously authorised by a law of this State; *Provided*, that the money deposited in the said bank for safe keeping, shall not be considered as the debts of the bank within the provisions of this clause, and in case of excess, the directors under whose administration it shall happen, shall be liable for the same in their natural and private capacities, and an action may in such case be brought against them or any of them, or their heirs, executors or administrators, in any court of record of this State, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution, any condition, covenant, or agreement to the contrary notwithstanding, but nothing herein contained shall be construed to exempt the said corporation, or the lands, tenements, goods, chattels and effects of the same, from being also liable for and chargeable with the said excess, and such of the said directors who may have been absent when the said excess was created, or who may have dissented from the resolution or act, whereby the same was created, may respectively exonerate themselves from being so liable by forthwith giving notice of the fact, and of their absence or dissent to the Governor of the State, and to the stockholders at a general meeting which they shall have power to call for that purpose; *And provided*, nothing herein contained shall be so construed as to confer the power upon the president and directors, to pay interest upon monies deposited in said institution, other than such as may be deposited therein by the order or with the approbation of some public authority or functionary of,

Proviso

Liability of directors

Corporation not exempt

Exoneration

Proviso