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this act, any post note or other obligation which purports on its face to be payable otherwise than on demand in gold or silver, the charter of any bank thus offending, shall be deemed to be forfeited and utterly null and void.

County court or judge may issue injunction

SEC. 5. *And be it enacted*, That the several county courts or any judge thereof in the recess, are authorized and directed in all cases where a scire facias is issued against a bank, to issue an injunction to restrain such bank from improperly disposing of its funds or property, and to appoint a receiver if the court shall deem the same necessary to promote the interest of the creditors of such bank.

Court on return of scire facias may adjudge charter

SEC. 6. *And be it enacted*, That if it shall appear to the court in the return of the scire facias under this act, that the bank named in such writ has refused to pay in specie on demand any debt or liability whatsoever, the charter of such bank shall be adjudged to be forfeited, and the court shall appoint three trustees, upon the recommendation in writing of one-fifth at least of the creditors in amount, to settle up the affairs of such bank and distribute its property and effects among the creditors and others entitled to the same according to their respective rights.

Trustees to give bond

SEC. 7. *And be it enacted*, That the trustees appointed in virtue of this act, shall give bond to the State, in such penalty and with such security as the court shall prescribe, with condition for the faithful performance of the trust reposed in them or him, if separate bonds are taken, and upon giving bond as aforesaid, by all of said trustees, all the property, estate, rights, credits and effects of such bank, shall vest fully in said trustees, who may bring suit in their own name or in the name of the bank, for their own use at their election, and to prevent any difficulty concerning the property such bank may have out of the estate, it is hereby enacted that the court may compel any such bank to execute a deed of assignment to the trustees.

Governor to direct Attorney General to issue a sciri facias

SEC. 8. *And be it enacted*, That it shall be the duty of the Governor, upon information, that any bank of this State has violated the provisions of this act, to direct the Attorney General to issue a scire facias forthwith against such bank; *provided*, that the refusal to pay any foreign or domestic broker, shall not be considered a violation of the provisions of this act.