

Mr. Préstman then moved to strike out the fifth section and insert the following:

“That the proceedings provided for, and directed to be taken by this act for forfeiting the charter of any bank, shall not be had, if the refusal to pay specie shall be made upon the application of any bank or other corporation, or any person or persons, or for and in behalf of any bank or other corporation, or any person or persons, located or residing in any other State of the United States, District or Territory, the banking institutions of which State do not pay specie for all their liabilities, at the time of any such application. And if any bank in this State shall refuse to pay specie, from and after the day appointed in this act for the resumption of specie payments, alleging that the refusal is made, because payment is demanded by, or for and in behalf of a corporation or resident of another State, District or Territory, the banks of which do not pay specie, the person or persons making such application may go before any justice of the peace, in and for the city or county, and make affidavit that such application or any part of the sum demanded, is not made for or in behalf of any corporation, or person or persons located or residing in any State, District or Territory, the banks of which do not pay specie. And upon the production of such affidavit to the bank, the said bank shall be required to pay specie as in other cases of application by the citizens of this State; and on refusal shall be liable to be proceeded against, and the charter of said bank forfeited, according to the provisions of the foregoing sections of this act.

On motion of Mr. Biser,

The question was first put on striking out,

And on being put, it was

Determined in the affirmative;

The question then recurred on inserting,

And on being put,

It was determined in the affirmative.

On motion of Mr. Graves,

The 6th section was amended by inserting in the 3rd line after the word “and,” the following, “in the manner hereinbefore directed.”

On motion of Mr. Poultney,

The words “depositor” and “or creditor,” in the 4th line of the 7th section were stricken out, and the word “or,” was inserted between the words “directors” and “debtor.”

On motion of Mr. Préstman,

Said section was further amended by striking out all after the word “securities,” in the 5th line of said section to the end thereof, and inserting in lieu thereof the following, “in amount and with such penalties as the Chancellor shall direct.”

Mr. Johnson then moved to amend the said bill by adding as an additional section the following:

And be it enacted, That with reference to those banks of whom money was borrowed for the use of the State, under the resolu-