

this act, shall refuse to do so, on demand, then any person (except other banks and brokers,) holding and owning the notes or certificates of deposit of such bank, may apply to any judge of the county court, where such bank is situated, and make oath of the demand of, and refusal to pay specie, upon which such judge shall pass an order, directing such bank to shew cause on a day therein to be named, and within ten days from the date of such order, why judgment shall not be entered for the amount of said notes or certificates of deposit, so demanded, and if such bank shall not shew a sufficient cause, then such judge shall direct a judgment to be entered against such bank for the amount of such notes or certificates of deposit, with interests and costs, and order execution thereon, on which judgment there shall be no supersedeas or delay; provided, that before judgment shall be entered, the judge shall be satisfied that a copy of the order to shew cause has been served on the president or cashier of such bank, or set up on the door of the banking house of such bank, four clear days before the day fixed by said order, for shewing cause; and it is provided, that the judges of the county courts in their respective districts, shall each have full power to issue the orders, enter the judgments and order executions directed by this section, in the recess or vacation, as well as in term time, and the clerk of the county court shall in all cases docket the order, and record the proceedings as in suits at law.

Sec. 8. And be it enacted, That if any bank of this State shall fail or refuse to resume specie payments as aforesaid, or having resumed, shall thereafter suspend the payment of specie, that it shall be the duty of the Governor of this State, for the time being, to cause the Attorney General of this State, to have issued against such delinquent bank a scire facias, directing said bank to shew cause by the return day of said scire facias, why its charter shall not be forfeited, and that it shall be the duty of the court from which said writ is issued, at the term of said court to which said scire facias is returnable, to determine whether the charter of said bank is forfeited."

Which were read the first time, and

On motion of Mr. Presstman,

Referred to the committee on the Currency.

The bill entitled, an act to make valid a deed from Samuel Ellicott, junior, Elias Ellicott and Philip T. Ellicott to John G. Cowman;

And the bill entitled, an act for the relief of the heirs of William D. Bell, late of Washington county, deceased;

Severally endorsed "will not pass."

The Speaker then announced that the Secretary of State had delivered this morning the following communication from the Executive: