

Dec. Secs. 1823



either in person, or by an agent to be appointed by the said commissioners for that purpose, for all books, bonds, bills, notes, accounts, evidences of debt, deeds, or other evidence of property or estate of every description in law or equity belonging to the said bank in trust or otherwise, and if the said president, directors, cashier or other officer, or agents, or any of them, shall refuse or decline to deliver to the said commissioners or agent appointed by them for that purpose any bond, bill, note, account, evidence of debt, deed, or other evidence of property, or estate of any description in law or equity belonging to the said bank in trust or otherwise, in his or their possession, or under his or their control and direction, upon being called upon as aforesaid, such president, directors, cashier, officers or agents, or any of them so refusing or declining, shall be liable to be sued by said commissioners in the corporate name of the Cumberland Bank of Allegany in a special action on the case, and the jury shall give a verdict for full damages, and the court before whom the recovery shall be had, shall triple the said damages, and give judgment therefor with costs, and the said commissioners moreover shall have full power and authority in the corporate name of the Cumberland Bank of Allegany, to institute and carry on to final hearing such proceedings in any court of equity, as they may deem necessary, and to carry on to a final hearing or judgment if they deem it necessary, such equitable or legal proceedings as the president and directors of the said bank may have heretofore instituted in any court of law or equity, and which may be now pending.

Powers.

4. *And be it enacted*, That the said commissioners in conducting the affairs of the said bank to a final close, shall have full power and authority to use the corporation seal, and the name and style of the Cumberland Bank of Allegany, and by such name and style to sue and be sued, plead and be impleaded, defend and be defended, in any court of record, or in any other place whatsoever.

Monies, property, &amp;c.

5. *And be it enacted*, That the said commissioners in settling and closing the concerns of said bank shall have the monies by them collected from time to time deposited in some chartered bank in the state of Maryland, until dividends thereof shall be made by them, and the said commissioners shall have full power and authority to purchase any estate or property, real, personal or mixed, or any chose in action for debts due to the said bank, and to take deeds, transfers and assignments therefor in the corporate name of the said bank, and in like manner the same to sell, transfer, assign and convey for the benefit of the stockholders.

Responsibilities, vacancies, &amp;c.

6. *And be it enacted*, That a majority of said commissioners shall have full power and authority to discharge all the duty, and to execute all the power hereby vested in said commissioners, and they are hereby exempted from all suits against them in their private or individual capacity on account of what they may legally do or omit to do, in their capacity as commissioners, and that no commissioner appointed in this act shall be answerable in his person or individual property for any contract or engagement of said company, or for any losses, deficiencies or failures of the capital stock of the said company, but the whole of the capital stock of the said company, together with all property, estate, rights and credits belonging to the said institution, and nothing more, shall at all times be answerable for the demands against the said company, and in case a majority of the said commissioners shall refuse to act, or afterwards resign or die, the