

tion without costs, until further orders shall be made thereon, and the amount of said debts shall not bear interest from the day that the tender thereof shall be made, if the said amount be subsequently paid into Court in notes as aforesaid. Provided it be made to appear to the satisfaction of the Court, that the necessity for proceeding in such action does not arise from the want of the amount of debt being ascertained.

During continuance of this Ordinance, no action shall be prosecuted to compel any Bank authorized so to suspend, to pay its notes in specie.

III. And be it further Ordained and Enacted by the authority aforesaid, that during the continuance of this Ordinance, no action or suit shall be prosecuted against any of the aforesaid Banks, which shall have been authorized to suspend payment in specie under the provisions of this Ordinance, in order to compel payment of any notes of such Bank, expressed to be payable on demand; and it shall be lawful for the President and Director of every such Bank, during the continuance of their suspension of cash payments in the manner allowed by this Ordinance, to apply to the Court wherein such action shall be brought or shall be depending, to stay proceedings therein in a summary way, and in case such action or suit shall be brought to compel payment of any note or notes made payable on demand, such Court shall stay all proceedings accordingly during the continuance of this Ordinance or during the suspension of cash payments as provided by this Ordinance: Provided always, that if it shall appear to such Court to be necessary for the purpose of ascertaining the amount of any demand on such Bank, or otherwise for the furtherance of justice, that any proceedings should be had for such purpose, it shall be lawful for such Court to permit proceedings to be had in any such action or suit for such necessary purpose only. Provided also, that no costs shall be recovered against any such Bank in any action or suit which shall be brought for the purpose of compelling payment of any debt or demand, unless the Court wherein the same shall be brought shall be of opinion that the same was necessary for the purpose of ascertaining the amount of such debt or demand, or the title thereto, or for the furtherance of justice as aforesaid.

Notes in circulation not to exceed amount of stock actually paid in.

IV. And be it further Ordained and Enacted by the authority aforesaid, that so long as any of the said Incorporated or Chartered Banks in this Province shall, under the provisions of this Ordinance, continue their business of Banking without paying their notes in specie on demand, the total amount of the notes of such Bank in circulation shall not, at any time, exceed the amount of Capital Stock of such Bank actually paid in.

Banks suspending specie payments not to sell gold or silver.

V. And be it further Ordained and Enacted by the authority aforesaid, that during the time of such suspension of specie or cash payments, it shall not be lawful for any Incorporated or Chartered Bank in this Province, which hath suspended or shall suspend