Legislature reserves the right to purchase.

twentieth section of the above mentioned act, or on such terms as may be mutually agreed upon between the authorized agents of the Commonwealth, and the said railroad company.

WM. HOPKINS,
Speaker of the House of Representatives,
W. T. ROGERS,
Speaker of the Senate.

Approved—The first day of April, eighteen hundred and forty.

DAVID R. PORTER.

[No. 15.]

RESOLUTION

Providing for the resumption of specie payments by the banks, and for other purposes.

Resolved, *By the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the several incorporated banks of this commonwealth are hereby required, on, from and after the fifteenth day of January, in the year of our Lord one thousand eight hundred and forty-one, to pay on demand all their notes, bills, deposites, and other liabilities, in gold or silver coin, except such as may have been made and created under a special agreement, under the penalty of the forfeiture of the charters, to be declared forfeited as hereinafter provided, of any and all banks refusing so to do: *Provided*, That any person or persons, from the passage of these resolutions until the said above mentioned day, may proceed to recover and collect in gold or silver coin, the liabilities of, and the penalties recoverable from any of said banks, according to the common law in force in this commonwealth, and not otherwise.

Resumption.

Proviso.

Resolved, That if any bank within this commonwealth, shall at any time after the said fifteenth day of January, Anno Domini, eighteen hundred and forty-one, refuse to pay on demand any of its notes, bills, deposits, or other liabilities, in gold or silver coin, except such as may have been made and created under a special agreement, its charter shall, for any

Penalty for non resumption,

such refusal, be declared forfeited, as herein provided. And it shall and may be lawful for any person or persons, or the agent of any body corporate, who shall have been refused gold or silver in payment as aforesaid, to make an oath or affirmation before the court of common pleas of the county in which such bank is situated, or, in vacation, before the president judge thereof, of the fact; and upon such oath or affirmation being made, it shall be the duty of the said court, or, in vacation, of the president judge thereof, to appoint the tenth juridical day thereafter as the time, and the room where the court of common pleas of such county is held as the place, for the hearing of the said information; and it shall be the duty of such said court of common pleas, or, in vacation, of the president judge thereof, to give or cause to be given, at least eight days notice thereof to the president or cashier of such bank, and also to give or cause to be given, reasonable notice thereof to the deputy attorney general for such said county, whose duty it shall be to attend and prosecute the same on the part of the commonwealth—and in case that officer should neglect or fail to appear and prosecute the same, the person or persons, or body corporate, making information as aforesaid, shall be authorized to employ counsel to prosecute the same—and the court of common pleas of such said county, or, in vacation, the president judge thereof, shall reduce to writing the evidence given on the part of the commonwealth, and also the evidence which may be given by or on the part of such said bank, to disprove or rebut the evidence on the part of the commonwealth; and if the allegation or information charged shall be substantiated by the testimony to the satisfaction of such said court or president judge, as the case may be, the said court or president judge thereof, the money being unpaid, shall immediately cause the same to be filed in such said court, and on the same being done, the charter of such bank shall be absolutely forfeited—and the said court, or, in vacation, the president judge thereof, shall thereupon issue a writ directed to the sheriff of the said county, requiring him to close said bank forthwith, and deliver over to three such trustees appointed by the said court or judge, and named in said writ, who shall not be stockholders in said bank, or in any wise concerned directly or indirectly therein, full possession of the books, moneys, keys, property and effects of said bank, which said trustees shall give a bond to the commonwealth before the issuing of the said writ in such sum, and with such security as the said court, or, in vacation, the said judge may direct, for the faithful performance of their duties, and shall be severally sworn or affirmed faithfully and truly to discharge the duties herein required, and the said trustees shall proceed to settle up and close the affairs of any such bank, according to the provisions of the present existing

Proceedings.

Duties of courts &c.

Charter forfeited.

Banks how closed.

Trustees.

laws in relation to banks whose charters have been forfeited

Proviso. *Provided, however*, That the said banks be liable for the fulfilment of all contracts and engagements previously made and entered into by it, and except also that the trustees whose appointment is provided for by this resolution, shall have power to use the corporate name of said bank, and be capable of compelling the fulfilment of any contract or engagement entered into with said bank previously to said forfeiture.

False swearing. RESOLVED, That the wilful and deliberate false swearing by any officer or agent of any bank, or any other person to or in relation to any statement or statements required by law to be made, or other duty enjoined by law, shall be deemed perjury in law, and punishable as such, and the confinement within the penitentiaries of this state, which is hereby required to be part of the sentence in each such case, on conviction, shall not be less than one nor more than six years.

Pro rata loans to Com'th. RESOLVED, That the several banks of this commonwealth which have, on or since the ninth day of October last, suspended or refused the payment of their several notes, bills, deposits, or other liabilities, or which shall suspend or refuse the payment of the same on or before the said fifteenth day of January, Anno Domini, eighteen hundred and forty-one, in gold or silver coin, are hereby required to loan and pay to, and for the use of the commonwealth, in a pro rata proportion to their several capital stocks, within the period of one year from the passage of this act, if required, by instalments, in such sums, and at such times as the wants and exigencies of the commonwealth shall require the same, such amount and sum, not exceeding in the whole the sum of three millions of dollars, at an interest not exceeding five per cent. per annum, which shall and may, during the session of the present legislature, be appropriated by law, and directed to be applied to the payment of any deficiency which there

How to be applied. may be in the fund pledged for the interest on the State loans, to the debts and damages now due and owing by the commonwealth; to the repairs of the public works; to the continuation and completion of the public works already commenced by the commonwealth; to the expenses incident to the same, and such others as may be directed to be commenced; and to such others of a public character, as it may be deemed advisable to apply the same by law; for which said several sums, when paid, certificates of stock shall be

Certificates. issued in such sums as the lenders thereof may require, and be transferable in such manner as the Governor may direct, reimbursable at such time, not exceeding twenty-five years from the date thereof, as may be agreed upon between the Governor and the banks taking such loan.

RESOLVED, That until the fifteenth of January next, the banks of this commonwealth shall be authorized to issue their own notes, and make and declare new loans and dividends, not exceeding six per cent. per annum, in the same manner, as if the said banks, during said period, continued to pay their notes, bills, obligations, and deposite moneys, owing by them in gold or silver. May issue their own notes, declare dividends &c.

RESOLVED, That so much of any law as is altered or supplied by the foregoing resolutions, is hereby repealed. Acts repealed.

WM. HOPKINS,
Speaker of the House of Representatives.
W. T. ROGERS,
Speaker of the Senate.

APPROVED—The third day of April, eighteen hundred and forty.

DAVID R. PORTER.

[No. 16.]

RESOLUTION

Legalizing certain Elections held in Tioga County.

WHEREAS, By an act of the Legislature passed the thirteenth of February, eighteen hundred and forty, the time of holding township elections in the county of Tioga was changed from the third Friday of March to the third Friday of February: *And whereas,* By reason of delays and irregularities in the mails, several of the townships in said county, to wit: Covington, Brookfield, Liberty, Morris, Deerfield, Rutland, and Union, did not get information of the same, but held their election in March as heretofore; Therefore, Preamble.

RESOLVED, *By the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the elections held in the townships aforesaid, on the third Friday of March, one thousand eight hundred and forty, shall be deemed to have been held, and are hereby declared to have been held legally, and to be good and valid as though they had been held on the third Friday in February, Elections held in Tioga co. on 3d Friday of March 1840 legalized.