

ducted from  
the principal.  
Defendant  
shall have  
costs.

directly or indirectly received, reserved or taken than is herein set forth, according to the period which such Note, Bill of Exchange, or such Mortgage or hypothec as last aforesaid may have to run, the defendant shall recover his full costs, and the plaintiff shall recover and be entitled to the amount of the principal of such Note, Bill of Exchange, Mortgage or hypothec as aforesaid; Provided always, that the excess of interest or discount so reserved, taken or received shall be deducted from the principal, and judgment shall be given for the balance, and from the amount of such judgment the defendant shall be entitled to deduct his full costs. 5 10

Proviso.

Legal interest  
on Mortgages,  
&c., when no  
other is speci-  
fied.

V. In all cases of Mortgages or hypothecs or Bonds or other sealed Instruments bearing interest, and the rate of interest not specified, Eight per Centum per annum, and at and after that rate for larger or smaller sums, shall be charged paid and recovered, and no more.

Bank charges  
for agency,  
&c., limited in  
certain cases.

VI. It shall not be lawful for any Chartered Bank in this Province to take or receive as agency, exchange, or commission, on the discount of any note, bill, or other negotiable security or paper payable at a different place in this Province from that at which the same is discounted, and at which the Bank may have an agency, more than one eighth per cent, in addition to the discount, any law of the Province to the contrary notwithstanding. 15 20

Certain corpo-  
rations not to  
be within  
this Act, but  
to abide by  
their Charter.

VII. It shall not be lawful for any corporation or association not having banking privileges, but which is nevertheless authorized to lend money on the security of Real Estate and other securities, to take the discounts and interests provided and authorized by this Act to be taken, but they shall be confined to the enjoyment of the privileges in their several respective Charters contained. 25

Recital.

VIII. And whereas, in times of great stringency in the money market, great and serious difficulties have been periodically experienced by the mercantile and trading communities, for the want of a power to equalize the rate of Interest, so as to enable the Chartered Banks of the Province to render that aid for which they were in part incorporated, and it is necessary and proper to provide means by which this can safely be done, therefore,—It shall and may be lawful on occasions of a severe monetary crisis, for the Governor in Council to issue an order authorising the Chartered Banks of the Province, as well as the Banks organised under the general Banking Law, to raise the rate of interest in such ratio as to the said Governor in Council shall appear to be requisite in order to regulate the disturbed state of the market, and such order shall remain in force for any period not exceeding 60 days;—the period of duration of any such order shall be mentioned in it, and the order shall be published in the Official Gazette, a copy of which containing such order shall be posted at each of the Banks and their agencies in the Province;—Provided always, that it shall and may be lawful for the Governor in Council, at any time during the existence of any such order, to reconsider the same, and so to modify it as to reduce or increase the rate of interest, as the exigencies of the times may require: Provided also, that the same rate of Interest which the said Chartered Banks shall be permitted to charge, by virtue of any such Order issued by the Governor in Council, 30 35 40 45 50

In times of  
severe mone-  
tary pressure  
the Governor  
in Council  
may authorize  
the raising of  
the rate of  
interest.

Proviso.

Proviso.