

- Instrument stipulating higher rate to be void.      exacted, in cases where the amount so illegally exacted exceeds fifty dollars; and all contracts, mortgages, bonds, notes, or writings obligatory, in which is a covenant or stipulation for the payment of any greater interest, discount, or consideration, than is prescribed by this Act, shall be absolutely null and void.      5
- Party offending may be examined as a witness.      VI. Every person charged with offending against this Act may be compelled to appear and give evidence in reference to the charge preferred against him, in like manner as any other witness; and any person who shall swear falsely shall, upon conviction thereof, suffer the pains of wilful and corrupt perjury.      10
- Who only liable for offences committed by Banks.      VII. In case of infractions of this Act by Banks or Banking Institutions, the officer or agent of such Bank or Banking Institution who shall commit the offence shall be alone subject to the pains and penalties to which offenders under this Act are liable, except in cases where such offence shall have been committed by authority or instructions from the chief officer or officers of such Bank or Banking Institution, and then the President or Cashier, or other chief officer shall be liable as if the offence had been committed by him.      15
- How the Act shall apply to Loan Companies, &c., not being Banks.      VIII. This Act shall not apply or be construed to apply to any corporation, company, or association of persons, not being a Bank, heretofore organized and authorized by Law to lend or borrow money; except in cases where such corporation, company or association shall exceed, under any pretence, the charge they are now privileged by Law to make for the advance or loaning of money,—then upon conviction thereof the charter of such corporation, company or association shall be forfeited.      20
- Imprisonment when fine cannot be collected.      IX. In cases where any fine imposed by this Act cannot be collected, the Judge before whom the conviction was made may, after a reasonable time not exceeding sixty days, issue his warrant for the imprisonment of the offender for a term not exceeding thirty days, and such imprisonment shall not in any wise abrogate the fine.      25