

2. By lending money and making loans either directly or indirectly on security, and real estate mortgages.

3. By lending money and making loans on the security and pledge of the capital of the bank.

4. By lending money and making loans on the security and pawn of goods, wares and merchandise, in a manner different from that required by law.

5. By buying goods, wares and merchandize.

6. By the selling and cartering of goods, wares and merchandize.

7. By being engaged in operations different from those which commonly belong to a banking business.

8. By acquiring and holding real estate for purposes foreign to the administration of its lawful business, and by selling it in cases prohibited by law.

9. By the buying and cartering either directly or indirectly of the shares of its capital stock, as it is mentioned in the petition.

Particular cases were given in support of each of the above accusations.

In answer to the first accusation, the Bank admits having charged usurious rates of interest exceeding seven per cent but alleged having done it thinking that it had the right to do it.

Is the fact admitted? Yes.

Whose duty was it to judge the excuse of the Bank? It was the duty of the courts of justice. Starting from this, the decision of the question should have been carried before the tribunals and the minister of justice had no right to decide it, which, nevertheless, he took upon himself to do, Sir Campbell has acted as would have done a justice of the peace at a preliminary hearing by pronouncing the accused guilty or not guilty instead of examining solely whether there be cause for his trial before the court of Queen's Bench.

Moreover, when he says in his judgement that a bank cannot incur any penalty by receiving a rate of interest above seven per cent and that the forfeiture of its charter would be the greatest penalty it could