

ing institution in this State, other than National Banks. At such visits he shall, in the presence of one of the officers of the institution, have free access to the vaults, books and papers, and he shall inspect and examine the affairs of the institution, to ascertain its condition and see whether it complies with the provisions of law. Any additional examination other than an annual examination shall be made at the expense of the Banking Department.

1910. ch. 219, sec. 8 (p. 8).

8. The Commissioner or Deputy Commissioner may summon the officers, managers, trustees, employees or agents of such banking institution and such other witnesses as he thinks proper, and examine them relative to its affairs, and for that purpose may administer oaths. Whoever, without justifiable cause, refuses to appear or testify when required, or obstructs the Commissioner or those acting for him in the discharge of his duties, shall be deemed guilty of a misdemeanor, and upon conviction in a Court of competent jurisdiction shall be punished by a fine of not more than one thousand dollars, or imprisonment for not more than one year, or both.

1910. ch. 219, sec. 9 (p. 8).

9. If, upon examination, any banking institution appears to be insolvent; or its condition such as to render the continuance of its business hazardous to the public, or if it appears to have failed to comply with any provision of law, the Bank Commissioner shall report the same to the Governor, who may cause such proceedings to be instituted against the institution as he may deem proper, after advising with the Attorney-General with respect thereto.

The forfeiture of the charter of a bank cannot be taken advantage of or enforced collaterally, but only by a direct proceeding for that purpose. Such a forfeiture must be judicially established. *Planters Bank v. Bank of Alexandria*, 10 G. & J. 356.

1910, ch. 219, sec. 10 (p. 9).

10. If, in the opinion of the Bank Commissioner, any of the officers, managers or trustees of any banking institution aforesaid have violated any of the provisions of this law, he shall forthwith report the same to the Governor, who may direct the Attorney-General to institute a prosecution for such violation.

1910, ch. 219, sec. 11 (p. 9).

11. Any officer, manager, trustee, agent, clerk or employee, who wilfully and knowingly violates any of the provisions of the law governing or regulating the institutions mentioned in this Article, shall be deemed guilty of a misdemeanor, and if found guilty shall be fined not more than one thousand dollars or be imprisoned for not more than three years, or both.