

Commissioner shall perform the duties of that office until his successor is duly appointed and qualified, or until the removal of such disability or the absence of the Commissioner.

An. Code, sec. 7. 1910, ch 219, sec. 7 (p. 8). 1912, ch. 194, sec. 7. 1918, ch. 33, sec. 7. 1920, ch. 268, sec. 7.

6. The Commissioner, Deputy Commissioner, or an Examiner appointed by the Commissioner shall at least twice in each year, and whenever he considers it expedient, visit each banking 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.

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

7. 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.

An. Code, sec. 9. 1910, ch. 219, sec. 9 (p. 8). 1912, ch. 194, sec. 9.

8. Whenever the Bank Commissioner shall, upon examination have reason to believe that the capital stock of any institution to which this Article is applicable, is reduced by impairment, the said Bank Commissioner may require such institution to make good the deficiency within sixty days after the day of such requisition, and if said institution shall fail to comply with said request within the time prescribed, the Bank Commissioner may forthwith take possession of the property and business of such institution and retain such possession until such institution shall resume business or its affairs be finally liquidated as herein provided.

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.

An. Code, sec. 10. 1910, ch 219, sec. 10 (p. 9). 1912, ch. 194. 1914, ch. 205, sec. 10.

9. Whenever it shall appear to the Bank Commissioner upon examination, that any institution to which this Article is applicable, is conducting its business in an unsafe, or unauthorized manner, or if any such institution shall refuse to submit its books, papers and concerns to the examination of the bank commissioner, or if any such institution shall neglect or refuse to observe an order of the Bank Commissioner as specified in Section 8 of this Article, the Bank Commissioner may, with the written consent of the Governor and Attorney-General obtained prior thereto forth-