

SEC. 8. Full faith and credit shall be given to all the protestations, attestations and other instruments of publication of all Notaries Public now in office, or hereafter to be appointed under the provisions of this act.

Faith to be given to protests, etc.

Notaries Public to take acknowledgments of deeds. Bound vol., p. 179, vol. 1841-2.

CHAP. XLVI.—An Act relating to Interest.

SEC. 1. That any rate of interest which persons may agree upon, not exceeding twelve per centum per annum, shall be legal and valid: *Provided*, That upon all bills of exchange, promissory notes, contracts, debts or demands, wherein the rate of interest is not otherwise specified, it shall be computed at seven dollars, for the giving day of payment on the sum of one hundred dollars for one year, and after that rate for a greater or less sum, or for a longer or shorter time: *Provided further*, That no bank or corporation, except where it is otherwise provided by their charter, shall recover or take, directly or indirectly, more than seven per centum interest for any sum or sums of money loaned.

Rate of interest allowed by agreement.

When no agreement.

SEC. 2. If any person or corporation shall take, accept or receive, for giving day of payment upon any bill of exchange, promissory note, contract, debt or demand, a greater rate of interest than is herein before limited, such person or corporation shall forfeit three times the amount of the excess, to be recovered with costs of suit, in the name of the person or persons so paying any excess of interest, in an action of assumpsit, before any court having competent jurisdiction: *Provided*, That the suit is commenced within one year from the day of payment of such excess of interest.

Penalty for taking greater interest than allowed.

SEC. 3. This act shall take effect from and after its passage.

Act to take effect.

CHAP. XLVII.—An Act respecting marks and brands for horses, cattle, sheep and hogs.

SEC. 1. That it shall be the duty of the Clerks of the County Commissioners, in each county, on the application of any person, resident in the county, to record a description of the marks or brands with which such person may be desirous of marking his horses, cattle, sheep or hogs; but the same description shall not be recorded for more than one resident of the same township.

Clerks to record marks, etc.

SEC. 2. If any person shall wilfully mark any of his horses, cattle, sheep or hogs, with the same mark or brand previously recorded by a resident of the same township, and while the same mark or brand shall be used by him, the person so offending shall forfeit for every such offence, five dollars, to be recovered by action of debt before any justice of the peace, in the name and for the use of the person whose mark or brand shall be used; and if any person shall wilfully mark or brand the horses, cattle, sheep or hogs of any other person with his own brand or mark, the person so offending, shall forfeit for every such offence, to the person injured, ten dollars, to be recovered by action of debt, before any justice of the peace, in the name and for the use of such person; and if any person shall wilfully destroy or alter any mark or brand upon any cattle, horses, sheep or hogs, the property of another.

Penalty for using mark of another, etc.

the person so offending shall, on conviction thereof before any justice of the peace, forfeit and pay for every such offence a sum not exceeding ten dollars, and shall moreover pay to the party injured double damages.

Fees of clerk.

SEC. 3. That the Clerks of the Board of County Commissioners shall be entitled to receive for recording any mark or brand, twelve and a half cents, and for giving a certificate of the same, when required, twelve and a half cents.

CHAP. XI.VIII.—An Act requiring certain Officers to keep their offices at the County Seat.

Sheriff, Register, etc.

SEC. 1. That the Sheriff, the Register of Deeds, the Clerk of the District Court, and the Clerk of the Board of County Commissioners of each county of this Territory, are hereby required to keep their offices at the county seat of their respective counties; and if any of said officers shall neglect to comply with this provision, he shall forfeit for each and every day's neglect, the sum of ten dollars.

CHAP. XLIX.—An Act concerning the admission of Attorneys at Law.

Qualification necessary to admission to practice.

SEC. 1. Whenever any person shall apply to any of the District Courts, or to the Supreme Court to be admitted to practice therein as an attorney, and shall show satisfactorily to such court, that he is a resident of the Territory, and is of good moral character and possesses the requisite knowledge of the science and practice of law, the judge or judges thereof, may grant to such applicant a license to practice in the said courts respectively, in which he or they may preside: *Provided*, That nothing herein contained shall be so construed, as to preclude the judge or judges of either of said courts, from granting special authority to attorneys or counsellors, residing without this Territory, to practice in particular cases when any application may be made for that purpose.

Limitation.

CHAP. L.—An Act concerning Amendments.

Court may amend process.

SEC. 1. The court in which any action shall be pending, shall have power to amend any process, pleading or proceeding in such action, either in form or substance, for the furtherance of justice, on such terms as shall be just, at any time before judgment rendered therein.

Party allowed to answer.

SEC. 2. If such amendment be made to any pleading in matter of substance, the adverse party shall be allowed an opportunity, according to the course and practice of the court, to answer the pleading so amended.

Process not amended on return day.

SEC. 3. Process by which any action shall have been commenced, and on which any defendant shall have been arrested, shall not be amended on the return day thereof.

SEC. 4. After judgment rendered in any cause, any defects or imperfections in matter of form, contained in the record, plead-