

the service rendered, for which his employer is indebted to him, and that he holds the owner responsible, and the owner of the building shall be liable for the claim, but not to exceed the amount due from him to the employer at the time of notice, or subsequently, which may be recovered in an action.

89, s. 1, v. 16, p. 119.

SEC. 710. Whenever any sub-contractor, journeyman, or laborer shall recover any such claim from the owner of the building, the same may be set off by the owner in any action brought against him by the person who otherwise would be entitled to recover the same under the contract.

Amount recovered may be a set-off.

Ibid., s. 2.

LIENS UPON PERSONAL PROPERTY FOR WORK DONE.

SEC. 711. Any person, having possession of the same, who shall make, alter, repair, or bestow any labor on any article of personal property, at the request of the owner or lawful possessor thereof, shall have a lien on such property so made, altered, or repaired, or upon which labor has been bestowed, for his just and reasonable charges for the labor he has performed and the materials he has furnished; and such person may hold and retain possession of the same until such just and reasonable charges shall be paid; but if possession pass from such person by his consent, the lien shall cease.

Liens upon personal property.

2 Feb., 1859, c. 17, s. 12, v. 11, p. 378.

SEC. 712. The provisions of the preceding section shall not interfere with any special agreement of the parties.

Special agreements.

Ibid., s. 13.

CHAPTER TWENTY-ONE

INTEREST AND USURY.

- Sec. 713. Rate of interest allowed.
- 714. Special contracts; limit.
- 715. Unlawful contracts; forfeiture.

- Sec. 716. Recovery, when interest unlawfully taken.
- 717. Banking laws not changed.

SEC. 713. The rate of interest upon judgments or decrees, and upon the loan or forbearance of any money, goods, or things in action, shall continue to be six dollars upon one hundred dollars for one year, and after that rate for a greater or less sum, or for a longer or shorter time, except as provided in this chapter.

Rate of interest allowed.

22 April, 1870, c. 59, s. 1, v. 16, p. 91. United States vs. Kendall, 5 Cranch, 5 Cranch, C. C., 298; 5 Cranch, C. C., 523.

C. C., 385; *Burr vs. Burch*, 5 Cranch, C. C., 506; *Bradley vs. McKee*, 5 Cranch, C. C., 518; *Hill vs. Scott*, 5 Cranch, C. C., 523.

SEC. 714. In all contracts made it shall be lawful for the parties to stipulate or agree in writing that the rate of ten per centum per annum, or any less sum, of interest shall be taken and paid upon every one hundred dollars of money loaned, or in any manner due and owing from any person or corporation in the District.

Special contracts; limit.

22 April, 1870, c. 59, s. 2, v. 16, p. 91.

SEC. 715. If any person or corporation shall contract to receive a greater rate of interest than ten per cent. upon any contract in writing, or six per cent. upon any verbal contract, such person or corporation shall forfeit the whole of the interest so contracted to be received, and shall be entitled only to recover the principal sum due to such person or corporation.

Unlawful contracts; forfeiture.

Ibid., s. 3.

SEC. 716. If any person or corporation within the District shall directly or indirectly take or receive any greater amount of interest than is provided for in this chapter, upon any contract or agreement whatever, it shall be lawful for the person, or his personal representative, or the corporation paying the same, to sue for and recover all the interest paid upon any such contract or agreement from the person or his personal representatives, or from the corporation receiving such unlawful interest; but the suit to recover back such interest shall be brought within one year after such unlawful interest shall have been paid or taken.

Recovery, when interest unlawfully taken.

Ibid., s. 4. *Riddle vs. Mandeville*, 1 Cranch, C. C., 95; *Oliver vs. Decatur*, 4 Cranch, C. C., 461.

SEC. 717. Nothing in this chapter shall be construed to change the general laws in force in relation to banking associations organized under the provisions of Title LXII, of the Revised Statutes, "NATIONAL BANKS." [See R. S. U. S., §§ 5197, 5198.]

Banking laws not changed.

22 April, 1870, c. 59, s. 5, v. 16, p. 91.