

institution which is controlled by the government which has at heart all the interests of the nation stands upon a par with those people "who do hang out their three balls at the door and wait for their victims." It did suggest itself to my mind that some other emblems would be very appropriate in some cases; the cap and bells, for instance.

I have nothing further to say, except as to its being a sin. We have got the good old Book for that, in which it is especially denounced as a sin and a crime to take more than the money's value as interest. It is a sin to take more than money's value, unless things have changed. What is money's value? Look at the advertising columns of to-day's American, the chief journal of Baltimore city, which city the gentleman represents. They show this fact that people who have large sums of money to loan are willing to go into the market and loan it for five or ten years at five per cent.; and they will lend as small a sum as fifteen hundred dollars at six per cent. In no case do they demand more than six per cent. Baltimore city securities bearing six per cent. interest are selling at 116; and United States six per cent. securities are selling at a premium. What do those facts all go to show, if not the worth of money to-day in the market? Gentleman have argued that we might have a condition of things which would put down the value of money, that what we have passing as money now is currency, and it is to meet that view of the case I presume that they urge propping up the currency by a constitutional provision increasing the rate of interest.

I am satisfied, however, not to consume any more of the time of the house. I think I have consumed not more than five minutes now. I think the house has decided not to pass this section.

Mr. STIRLING. It strikes me that this debate is very interesting, but it has gone to an extent that I do not think practically tends to bring us to any conclusion on this question. We have here the whole question, and it is a very complicated question, in regard to the propriety of fixing the rate of interest for money. The report before us assumes the absolute doctrine that under all circumstances, any amount of interest contracted for shall be recoverable in courts of law. Now I am very free to say that I cannot support that proposition, even if I believed it to be good sense and good law, still I should be opposed at this time to putting into the constitution of this State any such broad proposition, one so contrary to the habitual practice of the community.

But it seems to me that a great deal of the debate upon the other side has been just as radical, and just as radically wrong, as the proposition of the committee. I believe there may be a practical question as to what the rate of interest ought to be. But so far as

the law itself stands on the subject, I do not know that there is any great complaint at the existing condition of the law. On the contrary, the gentleman from Howard (Mr. Sands) seems to wish to go to the extent of forfeiting absolutely the whole claim.

Mr. SANDS. That is not my idea.

Mr. STIRLING. That is the tendency of the gentleman's argument. I think one of the propositions before this body absolutely goes to that extent. I prefer greatly that the convention should not interfere with the existing law on that subject. As the law now stands in the code, it has been decided by the court of appeals not to conflict with the constitution. It amounts to this; if a man is forced to bring suit on his contract, he cannot recover more than six per cent., if the other party sets up the defence of usury; but the party who borrows the money must pay the principal and six per cent. interest.

There is only one practical difficulty that exists now, and that will be remedied by the proposition of the gentleman from Kent (Mr. Chambers,) which proposition I sincerely hope will be adopted. It has been a question whether if a man lends money, and stipulates in the contract that the borrower shall pay the taxes on that money, such a stipulation is legal. There is no reason why it should be considered more than six per cent. interest. There is a difference of opinion about it. But the practical facts exist that there is a doubt; and those persons most scrupulous, most honest, are afraid to put in their mortgage or contract a stipulation that the borrower shall pay the taxes. There is no reason why a man should not have the right in a contract to require for himself, with the consent of the other contracting party, a clear interest of six per cent. That is especially important at this time when the tax upon money may decrease the rate of interest to three per cent. I think the convention ought to clear up that doubt and provide that the stipulation with the borrower to pay the taxes shall not be considered usurious.

I should be perfectly willing to support the proposition of the gentleman from Allegany (Mr. Thurston,) which I think is better than that of my colleague (Mr. Daniel,) in that it does not change the legal rate of interest. The government of the United States has offered to borrow money at seven and three-tenths per cent. interest. That has become a very favorite rate of interest, by reason of its being so easily calculated. It is a great deal easier to calculate than six per cent., and much simpler, being two cents per day on each hundred dollars. That was the reason, doubtless, why that rate was determined or rather than the rate of seven per cent. The national banks under the first law were authorized to charge seven per cent., but are now restricted to the legal rate of interest of the States in which they are located. The banks of this