

MR. PRESIDENT:

Your Committee on Ways and Means, to whom was referred senate file No. 1, a bill for an act to amend sections Nos. 2077, 2078 and 2080 of the Code, in relation to rate of interest, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the senate with the recommendation that it be amended by adding the four following sections, and thus amended the bill do pass.

Ordered passed on file.

LARRABEE, *Chairman.*

SENATE FILE NO. 1.]

[BY HARTSHORN.

## A BILL

FOR AN ACT TO AMEND SECTIONS 2077, 2078 AND 2080 OF THE CODE: RELATING  
TO THE RATE OF INTEREST.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That sections 2077,  
2 2078 and 2080 of the Code be and the same are hereby amended as follows: By striking from  
3 line four, of paragraph seven, of section 2077, the word "ten," and inserting in lieu thereof  
4 the word "eight"; by striking from line six, of section 2078, the word "ten," and inserting  
5 in lieu thereof the word "eight"; and by striking from line five, of section 2080, the word  
6 "ten," and inserting in lieu thereof the word "eight."

SEC. 2. No person shall, directly or indirectly, receive in money, goods, or things in ac-  
2 tion, or in any other manner, any greater sum or value for the loan or use of money, or  
3 upon contract founded upon any bargain, sale or loan of wares, merchandise, goods, chattels,  
4 lands and tenements, than is in this act prescribed.

SEC. 3. If it shall be ascertained in any suit brought on any contract, that a rate of in-  
2 terest has been contracted for greater than is authorized by this act, either directly or indi-  
3 rectly, in money, property, or other valuable thing, or that any gift or donation of money,  
4 property, or other valuable thing, has been made, or promised to be made, to a lender or  
5 creditor, or to any person for him, directly or indirectly, either by the borrower or debtor, or  
6 any person for him, the design of which is to obtain for money so loaned, or for debts due or  
7 to become due, a rate of interest greater than specified by this act, the same shall be deemed

8 usurious and shall work a forfeiture of the entire interest in excess of the rate prescribed by  
9 this act, and the court in which such suit is prosecuted shall render judgment for the plaintiff  
10 for the amount remaining unpaid on the sum loaned, with interest at the rate of eight per  
11 cent per annum, against the defendant, and judgment for the costs of such suit shall be ren-  
12 dered against the plaintiff.

SEC. 4. This act shall be construed so as not to affect or change the rate of interest to  
2 be received by virtue of any contract entered into before this act shall take effect.

SEC. 5. All laws inconsistent with this act are hereby repealed.