

DEBTS OF HONOR.

Debts of honor, so called, are those unknown to the law and which cannot be collected by legal process. Among them are debts contracted at the gambling table or in other forms of betting, and the security is simply that of individual obligation among people of the same kind. Whatever the law regards as contrary to public policy comes under this head, the law declining to assist in corrupting the people by legitimatizing such transactions. In European countries the debts which have only moral instead of legal security are more numerous than in this country. A series of reports from United States consuls on this feature of the laws of foreign countries has been recently published, in answer to a circular from the National Board of Trade. This circular asked the consuls to collect evidence as to what debts are not collectible by law in the various countries and to state how they are generally paid. The answers reveal some interesting local customs.

The general summary shows that though debts of honor are outside the legal pale they are usually paid in full, the penalty for refusing payment being that the delinquent debtor is ostracised by the clubs and other organizations which provide the means for contracting the obligations. This appears to follow the general rule, for in all parts of the world such debts are ordinarily paid, even though the debtor is execution proof and refuses to pay what the law would compel him to pay. In Sweden doctors' bills are debts of honor, as they also are in Austria, while in the latter country a lawyer's fee that reaches the amount of the property in litigation has no standing in the country. China has a long schedule of debts of honor, among them being services rendered by physicians, dentists, priests, fortune-tellers, clairvoyants and others and moneys loaned at rates exceeding the legal rate of interest. It is regarded as a disgrace to be a drunkard or to supply a drunkard with liquor, so that drinking debts are extremely rare. On this point the consul at Amoy says that when such debts do exist the creditor is both ashamed and afraid to acknowledge the fact, and as a natural consequence, to take any steps toward the enforcement of his rights. In both Germany and France a man may be sued for drinking debt. Few European bankrupts ever pay in full, perhaps because those who can do so do not fall in business. Bankruptcy does not relieve the Russian debtor, who must pay when ever he is able to do so. In Russia and Greece debts never outlaw. In France outlawed debts are seldom paid. In Belgium, of six hundred and twenty bankrupts in a period of ten years only twelve were rehabilitated.

Though in many European countries the winner of a bet cannot enforce collection in the courts, there are some exceptions to the rule. In Italy, the Netherlands, Russia and Spain the laws enforce the payment of bets made on athletic contests, such as football, cricket, racing, etc., the exception being evidently made to encourage the athletic sports, to which the youth do not take very kindly. The

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moral seems to be from all this, the less law there is in some instances to compel the payment of an obligation the more scrupulous the debtor is to discharge. There are few instances where gambling debts and others outside the protection of the law are not promptly met if it is within the power of the debtor. It is this that preserves the gambler's occupation, since if his debtors were not held by something outside the law itself the debts would never be paid, and gambling would not pay those who win. It is a peculiar state of affairs which shows men more willing to pay such debts than they are to pay those recognized by the laws.

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