

# MAINE STATE LEGISLATURE

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# **PUBLIC ACTS**

OF THE

# **STATE OF MAINE,**

PASSED BY THE

**ELEVENTH LEGISLATURE,**

AT ITS SESSION, HELD IN JANUARY, 1831.

—◆—  
PUBLISHED AGREEABLY TO THE RESOLVE OF 28TH JUNE, 1820.  
—◆—

**Portland.**

TODD AND HOLDEN.....PRINTERS TO THE STATE.

1831.

## CHAPTER DXX.

AN ACT for the Abolition of Imprisonment of Honest Debtors for Debt.

**SECT. 1.** *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That no person shall be liable to be arrested, or committed to prison, either on mesne process, founded on any contract made and entered into after this act shall take effect, or on any execution issued on any judgment founded on any such contract, or on any execution issued on any judgment founded on a former judgment, rendered in any suit upon any such contract, except in conformity with the provisions of this act; and no mesne process, or execution, shall run against the body of any debtor in any such contract, after this act shall take effect, except as is hereinafter by this act provided.

No person liable to be arrested for debt

Process not to run against body.

**SECT. 2.** *Be it further enacted,* That when judgment shall be rendered by any Court in any suit founded on any contract made and entered into after this act shall take effect, or on any former judgment rendered in any suit founded on any such contract, it shall be the duty of the clerk of the Court rendering such judgment, and of the Judge, or Justice of the Peace, who may render such judgment, so to vary the form of the executions, that shall issue thereon, as that the same shall not run against the body of the debtor, except in cases hereinafter provided.

Form of execution varied.

**SECT. 3.** *Be it further enacted,* That the creditor or creditors, in any execution, issued as aforesaid, wherein the debt exclusive of costs is not less than five dollars, may at any time notify, as is hereinafter provided, any debtor, named in said execution, to appear before two Justices of the Peace, each of whom shall be of the *quorum*, a freeholder and disinterested, there to disclose the actual state of such debtor's business affairs, and of all and every description of property, real and

Creditor may notify debtor to disclose, on execution, before two Justices of the Quorum.

personal, which such debtor may have in severalty, or in common with others, or in reversion, or remainder, together with a particular description thereof, and where and with whom the same is in keeping, or deposit; said notification to be issued, on application being made therefor by the creditor or creditors, his or their attorney, by any Justice of the Peace in and for the County where such debtor shall reside, in writing under the hand and seal of said Justice, signifying to the debtor the desire of such creditor, or creditors, to have the disclosure aforesaid made, and the time and place appointed for the making thereof, and said notice shall be served by giving the debtor a true and attested copy thereof in hand or by leaving an attested copy thereof at his or her usual place of abode, twenty days at least before the time appointed as aforesaid. And in case any debtor notified as aforesaid, shall neglect to appear as notified, and to make the disclosure aforesaid, and to make answers to such interrogatories, pertinent to the matter, as the execution creditor or creditors, his or their attorney, may see fit to propound in writing, and to make oath to the truth and justness of the said disclosure and answers; or, in case any such debtor shall so appear, and comply with the foregoing requisitions of this act, in making said disclosure and in answering said interrogatories, all of which shall be reduced to writing by the Justices, and signed and sworn to by the debtor in their presence, and it shall not clearly appear to the said Justices, upon the disclosure, interrogatories and answers in the case, and the other evidence produced by the parties, each of whom shall have a right to produce such other evidence, that said debtor has conducted honestly, without collusion, fraud, or intentional concealment, respecting his property, and that said debtor is unable to satisfy said execution, without the aid of property exempted by law from attachment and execution; then, and in either case, said Jus-

Notification  
by whom issued.

How served.

Proceedings  
before Justices.

Justices to  
make certifi-  
cate, &c.

To return ex-  
ecutions and  
doings there-  
on, within 20  
days.

When execu-  
tion may be  
issued against  
the body.

Either party  
may appeal.

tices shall certify on the back of such execution, in writing, under their hands and seals, that due notice had been issued and served upon the aforesaid debtor, to appear before them, the said Justices, for the purpose aforesaid, naming the time when and place where, such appearance was required, and that said debtor did not appear and disclose, and answer interrogatories, and make oath as is herein required ; or, as the fact may be, that said debtor did so appear, and disclose, and answer interrogatories, and make oath thereunto, as is in and by this act provided, but was adjudged by said Justices not to be entitled to the privilege and benefit allowed by this act, and that said debtor did or did not, as the case may be, appeal from their said adjudication. And it shall be the further duty of said Justices, to annex said disclosure, interrogatories and answers, if there shall be any, to said execution, and return each and every of them into the office of the Clerk of the Court; or unto the Judge, or Justice, from whom said execution may have issued, within twenty days next after their said adjudication, together with the original notice and the evidence of the service thereof; and thereupon said Clerk, Judge, or Justice, may issue another execution, on application of the creditor or creditors, his or their attorney, for that purpose, and shall renew it from time to time, as is now allowed by law, running against the body of such debtor, in the form of executions issued before the passing of this act; and upon all executions which shall be so issued, the body of such debtor shall be liable to arrest, and commitment to prison, without the benefit of bail thereafter: *Provided, however,* That if the certificate of said Justices, shall in any case show that their decision was appealed from by either party, a new execution shall not be issued, as aforesaid, by the Clerk, Judge, or Justice, until notice of the termination of such appeal shall have been given to said Clerk, Judge, or Justice, in the manner provided in and by the eighth section of this act.

SECT. 4. *Be it further enacted,* That in case it shall appear clearly to the aforesaid Justices, upon the disclosure, interrogatories, answers, and other proof of the parties, made and produced as aforesaid, that the said execution debtor has conducted honestly, without collusion, fraud, or intentional concealment respecting his property, and that he is unable to satisfy said execution, without the aid of property exempted by law from attachment and execution, and the property disclosed by him as not so exempted, the said Justices shall adjudge the said debtor entitled to the privilege and benefit of this act, and shall proceed to administer to said debtor, if he be willing to take the same, and unless the creditor or creditors appeal from the said adjudication as is hereinafter provided, an oath, (or affirmation) in the form following, to wit:

In what case Justices shall adjudge debtor entitled to benefit of this Act.

I —— do solemnly swear, (or, affirm, as the case may be,) that I have not any estate, real or personal, in possession, reversion or remainder, except the goods and chattels exempted by law from attachment and execution; and that I have not, since the commencement of this suit against me, or at any other time, directly or indirectly, sold, loaned, leased, or otherwise disposed of, or conveyed, or entrusted, to any person, or persons whomsoever, all or any part of the estate, real or personal, whereof I have been possessed, or been the lawful owner, with any intent, or design, to secure the same, or to receive, or to expect, any profit, gift, remuneration, or advantage therefor personally, or that any or all of my family, heirs or friends should receive or expect any profit, advantage or benefit therefrom, or have caused, or suffered to be done, any thing else whatsoever, whereby any of my creditors may be defrauded. So help me God. (Or, this I do under the pains and penalties of perjury, as the case may be.)

Form of oath.

Which oath, (or affirmation,) being administered by the said Justices, to, and taken by, such debtor, and a certificate thereof made under the hands and seals of the Justices administering the same, on the back of said execution, which, together with the disclosures, interrogatories, answers, the original notice and the evidence of the

When oath is administered, duty of Justices.

service thereof, and all other papers used in the case, shall be in all cases returned by said Justices within twenty days next succeeding, to the clerk of the Court, Judge, or Justice, who issued the same, shall operate forever thereafter as a discharge of the body of said debtor from liability to arrest and imprisonment on said execution, and on every other execution which may be issued on the same judgment, or on any subsequent judgment founded on said judgment; and shall also operate, forever thereafter, as a release of said debtor from liability to be notified as aforesaid, to make any further disclosure as aforesaid, on that execution, or on any other execution, issued on the same judgment, or on any subsequent judgment founded thereon; but said oath shall not operate to release the said debtor from the debt and costs set forth in said execution, but the judgment on which said execution was issued shall be and remain a legal claim, and good and effectual in law, to all intents and purposes, against any goods or estate whatsoever, which may then, or any time afterwards, belong to such debtor, excepting such as may be exempted from attachment and execution; and the creditor, or creditors, his or their agent or attorney, may take out a new execution, from time to time, for the satisfaction of the debt, in the same manner as might have been done, had no such procedure been had. The aforesaid certificate, in case the oath shall be administered, or in case the debtor shall be adjudged entitled thereto by said Justice, and the creditor shall appeal from said adjudication, shall be in the form following, to wit:

Debtor not afterwards liable to arrest, or to be notified to disclose on account of the same debt.

Debt not discharged.

New execution may issue against goods and estate.

STATE OF MAINE.

C——, ss. To (naming the officer who issued the execution and his capacity of Clerk, Judge, or Justice of the Peace.)

We, the subscribers, two Justices of the Peace for the said County of ——, and each of us of the *quorum*, a freeholder and disinterested, hereby certify, that (A. B.)

the within named creditor, (or creditors) hath (or have) caused (C. D.) the within named debtor, to be notified according to law, of the desire of said creditor, (or creditors) to have the said debtor make the disclosure required by the Act entitled "An Act for the abolition of imprisonment of honest debtors for debt;" that the said debtor hath appeared accordingly, and disclosed as required by said act; that in our opinion, the said debtor hath not any estate, real or personal, wherewith to pay said execution, except the goods and chattels exempted by law from attachment, (and those disclosed, described and offered to said creditor by said debtor, as the case may be) and that he hath conducted honestly, without collusion, fraud or intentional concealment respecting his property, and that we have, after due caution to the said (C. D.) administered to him, (or, as the case may be, adjudged him entitled to) the oath (or affirmation) prescribed in the Act aforesaid. (From which adjudication the creditor or creditors appealed, as the case may be.) Witness our hands and seals this — day of —, Anno Domini.

Form of certificate, when oath is administered, or debtor adjudged entitled to it, and creditor appeals.

SECT. 5. *Be it further enacted,* That whenever in any disclosure, made or had before any Justices of the Peace, and of the quorum, pursuant to the provisions of this Act, at the desire of the execution creditor or creditors, the execution debtor shall disclose, describe, and offer, to said creditor or creditors, any and all the estate, real and personal, belonging to such debtor, and not exempted by law from attachment and execution, so that the same may be taken in execution, the said debtor, if he shall be adjudged by said Justices entitled to the privilege and benefit of this Act, and if the creditor or creditors shall not appeal from such adjudication, may be admitted to take the oath prescribed in the fourth section of this Act, by adding thereto after the word "execution," "and the estate real (or personal, as the case may be) disclosed, described, and offered, as required by law in satisfaction of the execution whereon I have been notified to disclose;" and the creditor shall have a lien on both the personal and real estate, so disclosed and described and offered, or so much thereof as shall be requisite

Debtor may offer to creditor personal or real estate.

When estate offered, oath shall be varied.

Lien, on estate offered 30 days.



to satisfy said execution, for the term of thirty days after the time of such offer ; and if the debtor shall transfer, conceal, or otherwise dispose of, or suffer to be transferred, concealed or otherwise disposed of, the personal estate so offered, within the period aforesaid, and after taking the oath or affirmation aforesaid, or if he shall refuse to surrender the same, within a reasonable time, to the demand of said creditor, or creditors, that the same may be taken in execution if demanded within the thirty days aforesaid, then said debtor shall receive no benefit from the said oath or affirmation, but said creditor or creditors shall be entitled to recover, against said debtor, in an action on the case, founded on such transfer, concealment, or other disposal of the property of said debtor as aforesaid, double the amount of said execution ; and an execution shall be issued on the judgment that shall be rendered in such action, running against the body of said debtor, authorizing and commanding his arrest, and commitment to prison, without the reservation to him of any right to bail, or the benefit of the provisions of this Act : *Provided*, That if there shall be an appeal, by either party, from the adjudication of the Justices aforesaid, in any case where real or personal estate shall be disclosed and offered as aforesaid, the creditor's lien aforesaid shall continue for, and during the term of, thirty days after final decision shall be had on such appeal.

In what case debtor to receive no benefit from oath.

Forfeiture.

When appeal, lien 30 days, after final decision.

Debtor may notify gaoler of his desire to make new disclosure.

SECT. 6. *Be it further enacted*, That whenever any debtor, standing committed by force of any execution issued agreeably to the provisions of this Act, shall notify the gaoler, or keeper of the prison, where he so stands committed, of his desire to make a new disclosure, and again to submit himself to an examination by the creditor, or creditors, as is provided in the third section of this Act, and that he is willing to comply with the requisitions of said section, and is desirous of taking the oath or affirmation aforesaid, then said gaoler or keeper of such prison shall, on said

notice, apply to one of the Justices of the Peace, Duty of gaol-  
er. within and for the county where such prison is located, whose duty it shall be to make out a notification in writing, under his hand and seal, Duty of Jus-  
tice. thereby signifying to the creditor or creditors aforesaid, the desire of the said debtor, and the time and place appointed for the making of such disclosure, and the caption of said oath or affirmation; which notification, to have effect, shall be served on the creditor or creditors aforesaid, if he or they live within this State, or on his executor or administrator; and if such creditor or creditors live out of this State, upon his or their agent or attorney, either by reading the same to him or them, or by leaving an attested copy thereof at the usual place of abode of such creditor or creditors, agent or attorney as aforesaid, at least ten days before the time appointed as aforesaid, that such creditor or creditors, agent or attorney, may be present, and exercise the privileges provided in and by this Act, if he or they see cause; *Provided*, That if any creditor, or creditors, live out of this State and have no agent or attorney living in the same, then said copy shall be left with the Clerk of the Court, Judge, or Justice, by whom said execution was issued, at least fifteen days before the time appointed as aforesaid; and every notification of the imprisoned debtor to his creditor or creditors, issued as aforesaid, and every notification of the execution creditor or creditors to his or their debtor, provided in and by this Act, shall be served by a Sheriff, his Deputy, or a Constable, whose return shall be made on the back thereof: *Provided further*, That no debtor standing committed as aforesaid, shall be allowed the benefit of this provision, if on any execution issued on the same judgment, or on any former judgment founded thereon, such debtor has made a disclosure and an appeal was made by either party from the decision of the Justices on such disclosure. Notification  
how served. When credi-  
tor lives out of  
State, &c. Service, by  
whom made. In what case,  
debtor not en-  
titled to bene-  
fit of this sec-  
tion.

SECT. 7. *Be it further enacted,* That any two Justices of the Peace within and for the county where any disclosure of a debtor is appointed to be made, as is herein provided, each of whom being of the quorum, a freeholder and disinterested, are hereby authorized and empowered, at the time and place appointed as aforesaid, to examine the notification issued to the adverse party, and the return thereof, and, if it shall appear to have been duly made and served, to administer the said oath or affirmation to the debtor after fully examining and hearing the parties, if they, the said Justices, shall decide it to be proper to do so, and if the creditor or creditors do not appeal from such decision: *Provided, however,* That the said Justices, before whom any debtor or creditor shall appear agreeably to a notification as aforesaid, shall have power to adjourn, from time to time, as the convenience of the parties and impartial justice may in their opinion require; and if either of said Justices shall not be present at such adjournment, the other may adjourn to a future day. And each Justice shall receive of the party, who may have caused the notice for the appearance of the other party, one dollar and fifty cents for each day he shall be necessarily employed in the disclosure, and the same travelling fees as for taking depositions; and the Justice who shall issue the notice for the appearance of the adverse party, shall be entitled to receive of the party applying therefor, fifty cents: *Provided, further,* That no creditor, or creditors shall notify his or their debtor, and no debtor shall notify his creditor or creditors, to appear for the purposes of such disclosure, more than once relative to the same debt, or any execution founded on any judgment rendered in any suit for the same debt, nor to appear out of the county in which the debtor has his residence.

Qualification of Justices authorized to act under this law

Justices may adjourn, in what cases.

Their compensation.

Fees for notice.

Notice and place of disclosure.

SECT. 8. *Be it further enacted,* That any execution creditor or creditors, or execution debt-

or, who may be aggrieved at the decision of the said Justices on any disclosure made as provided by this Act, and the answers to interrogatories and other evidence therewith connected, may appeal therefrom to the next Court of Common Pleas, to be holden within and for the county where such disclosure is had, reserving to each party the right of producing at the trial on such appeal any other material evidence relevant to the inquiry, which the Court shall adjudge competent to be used in the case; but the party so appealing, before such appeal shall be allowed, shall recognize with sufficient surety or sureties to the adverse party, in a reasonable sum, to prosecute his appeal with effect, and to pay all such costs as may arise in the suit, after such appeal, which costs shall be taxed for the party prevailing in the same manner as costs are taxed in other cases in the same court, and judgment rendered, and execution issued thereon accordingly; and in all such cases as shall be put to the jury, the issue shall be exclusively on the right of the debtor to take the oath or affirmation aforesaid, and be allowed the benefit provided in and by this act. And if the debtor shall be the prevailing party, either by a verdict of the jury or otherwise, the clerk of said court in open court, if said debtor be willing, shall proceed to administer to said debtor the oath or affirmation aforesaid, which shall have the same effect in all particulars as though administered by the Justices aforesaid; and the said Clerk shall, in every case so appealed, make and record a certificate of the decision thereof, directed to the same office and in the same manner, as the Justices aforesaid are required to do on the back of the execution in like cases; an attested copy of which, under the hand of said clerk, being furnished to the Clerk of the Court, Judge, or Justice, who issued the execution whereon such proceedings shall have been had, shall be to said clerk last mentioned, Judge, or Justice, full authority, and

Creditor or debtor may appeal to next C. C. Pleas.

Party appealing shall recognize with sureties.

Issue to the Jury.

Proceedings in C. C. Pleas

Attested copy of proceedings evidence to issue new execution.

thereupon it shall be his duty, to issue a new execution on the same judgment, from time to time, at the request of the creditor or creditors, in the same manner and form as such certificate would have authorized him to do, had the same proceeded from the Justices aforesaid, as is in and by this act provided. And in all cases, the decision made on the appeal aforesaid shall be final between the parties, and shall alike preclude, and exempt forever after, the debtor from the right and the liability to make any new disclosure, for either his own benefit, or the benefit of the execution creditor or creditors on the same execution, or on any other execution issued on the same judgment, or on any other judgment founded on the same judgment, except as is provided in and by the thirteenth section of this act.

Decision final  
between the  
parties.

SECT. 9. *Be it further enacted,* That any person who shall have been convicted of any offence against government, and shall have suffered the penalties of the law therefor, and cannot therefore be admitted as a witness in any civil or criminal action, may, notwithstanding such conviction and disqualification, be allowed the benefit in and by this act provided, in case he shall otherwise bring himself within the requirements of this act.

Debtor entitled to benefit of this act though disqualified from being witness.

SECT. 10. *Be it further enacted,* That if any debtor aforesaid shall be convicted of having sold, leased, or otherwise conveyed, concealed, or disposed of, or entrusted his estate, or any part thereof, to any person or persons, directly or indirectly, contrary to his foregoing oath, or affirmation, he shall not only be liable to the pains and penalties of wilful perjury, but shall receive no benefit from the said oath or affirmation; and every person, who shall knowingly aid and assist any debtor in such fraudulent transaction, shall be answerable and chargeable to the creditor, in double the value of the goods, money or effects, by him or them thus secreted or embezzled, in a special action on the case; and shall be fur-

Punishment, if debtor convicted of swearing falsely.

Punishment of person for aiding debtor in fraudulent transaction.

ther subject to imprisonment at hard labor for the term of two years, or any less term of time at the discretion of the Court, on conviction thereof by indictment in the Supreme Judicial Court, or Court of Common Pleas, holden within the county where such transaction may be had.

SECT. 11. *Be it further enacted,* That any party appealing from the decision of the Justices made as aforesaid, shall be held to produce a copy of the whole case, at the Court appealed to; which copy shall be attested by one of the Justices of the quorum, before whom the disclosure and other proceedings were had, or by the Clerk of the Court, Judge, or Justice to whom the execution, and other written proceedings in the case may have been returned by the said Justices, agreeably to the provisions of this Act. And the person so making and attesting said copy shall be allowed the same fees therefor, as are allowed by law for like copies in other cases, to be paid by the party applying therefor, and taxed in his bill of costs, if he shall be the prevailing party in the final decision on his said appeal.

Party appealing to produce attested copy of the whole case at appellate Court.

Fees for copy.

SECT. 12. *Be it further enacted,* That any debtor may be arrested on mesne process, or execution, founded on any debt contracted after this Act shall take effect, in case the creditor or creditors, or any one of them when two or more shall be interested, or his or their attorney, shall first make oath before some Justice of the Peace, and annex a certificate thereof under the hand of said Justice, to the said creditor's process, that the amount or principal part of the debt claimed is actually due and unpaid, and that the said creditor, agent, or attorney, has sufficient reason to believe, and doth believe, the said debtor is about to change his residence, and abscond beyond the limits of the State, with property or means exceeding the amount required for his immediate support; and the debtor so arrested shall be carried as soon as may be, and without un-

When debtor may be arrested on mesne process, or execution.

Proceedings in such case.

necessary delay, before any two disinterested Justices of the Peace and quorum, residing in the county where such arrest shall be made, whose duty it shall be to hear and try the said debtor on his disclosure, answers, and the other proof of the parties, in the same manner as if such disclosure and other proceedings had taken place without such arrest, and under either of the foregoing provisions of this Act; and in case said debtor shall refuse to disclose, as aforesaid, or it shall appear on his disclosure and the other evidence and proceedings had in relation thereto, that the said debtor is possessed of property or other means of payment, as supposed in and by the oath of said creditor, agent, or attorney, and the said debtor shall refuse to surrender the same, so that it may be taken on the mesne process or execution of said creditor or creditors, said Justices shall order said debtor to be imprisoned in the gaol of said county, until discharged by the creditor, or by order of law, and shall issue their mittimus for that purpose. Or, in case it shall reasonably appear to said Justices, on said disclosure, evidence and other proceedings, aforesaid, that said debtor is not possessed of property or means of payment, as supposed in and by the oath of said creditor, agent, or attorney, excepting such as the said debtor may surrender to be taken on mesne process or execution as aforesaid, said Justices shall thereupon order the discharge of said debtor from his said arrest. And the said Justices shall be entitled to demand and receive for their services of the said creditor or creditors, the same fees as are allowed for like services in and by the seventh section of this Act, to be taxed on the mesne process or execution, with the other costs of the creditor, or creditors, if he or they shall be the prevailing party on such disclosure: *Provided*, That if the arrest aforesaid shall be on mesne process, the debtor so arrested and ordered into imprisonment, or imprisoned as afore-

In what case debtor may be ordered to be imprisoned.

In what case he may be discharged.

Fees of Justices in such case.

Debtor, imprisoned under this pro-

said, shall be released from his arrest or imprisonment, on giving bond with sufficient surety or sureties, running to the creditor or creditors, conditioned that he will notify the creditor or creditors within fifteen days after final judgment in the case, if such judgment shall be against said debtor, to attend the making of a new disclosure by said debtor, according to the provisions of this Act, and further conditioned that the property which said Justices adjudged said debtor possessed of, on his disclosure made on the mesne process as aforesaid, shall be surrendered up in satisfaction of said judgment, if on such new disclosure the adjudication of the Justices on said first disclosure shall be confirmed by the Justices before whom such new disclosure shall be made. And it shall be the duty of the Justices, taking the disclosure as aforesaid on the mesne process, to annex it, together with all other papers in the case, to such process, to be returned therewith to the Court, Judge, or Justice, issuing the same.

vision, may be released, on bond with sureties.

Condition of bond.

Proceedings, in such case, to be annexed to mesne process.

SECT. 13. *Be it further enacted,* 'That when any person, who shall be committed on execution, under the provisions of this Act, shall have been imprisoned for the term of six months, he may petition the Court of Common Pleas, in the county where he is imprisoned, for a discharge from his imprisonment, and shall cause the same to be served on the creditor, or creditors, named in the execution upon which he was committed, in the manner provided by this Act for the service of notifications, fourteen days, at least, before the term of the Court, at which his said petition shall be presented or entered, and that such petitioner may be fully and fairly heard on his petition, the Court may, at the hearing thereof, order him to be brought into Court for that purpose; and, if it shall be made to appear to said Court, that such petitioner is poor and unable to pay the debt, for which he stands committed, without taking for that purpose the property by law exempted from attachment and distress, and that the execution

Debtor, imprisoned six months, may petition C. C. Pleas.

Proceedings thereon.

In what case Court may order him discharged.



creditor, has received the benefit of all the property of which, it shall appear by the disclosure, interrogatories and answers and other evidence adduced before the Justices of the quorum, or Court, before whom, or which, the final examination was had in the case, such creditor was deprived by the dishonest conduct, fraud, collusion or intentional concealment of such debtor, the Court may order such petitioner to be discharged from his imprisonment.

His support in prison, how paid.

SECT. 14. *Be it further enacted*, That the keeper of the prison shall be entitled to receive the same that is allowed by law for the support of other criminals, for the support of each debtor committed to prison by virtue of the provisions of this Act, to be allowed and paid from the treasury of the county where he stands committed, under the direction of the County Commissioners.

This Act takes effect July 1, 1831.

Then other Acts repealed.

Rights, previously acquired, not affected.

SECT. 15. *Be it further enacted*, That this Act shall take effect, and be in force, from and after the first day of July next; from and after which time, all Acts and parts of Acts, inconsistent with the provisions of this Act, be and the same are hereby repealed: *Provided, however*, That this Act shall not be construed so as to deprive any person of any right acquired by virtue of, or under, the law existing at the time when this Act shall take effect, nor to affect any judgment or contract already in force, or which may exist or be in force, at the time last aforesaid.

[Approved by the Governor, March 31, 1831.]

## CHAPTER DXXI.

AN ACT to secure to the owners their property in Logs, Masts, Spars, and other Timber.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That from and after the passage of this Act,