debt, or in his application as aforesaid, shall be imprisoned in the discretion of the court.

18. Every defendant arrested on a writ of arrest, only to secure his appearance in any case, not an action of damages, for an injury to the person, reputation, or domestic relations of another may proceed in all respects, as if he had been arrested on a writ of execution, and may be discharged in the same manner and on the same conditions, and subject to all the same proceedings and other consequences, and shall then be entitled to appear in the action without bail. Nothing in this section contained, shall apply to an action of injunction.

19. Every insolvent may retain the necessary wearing apparel and bedding, of himself and his family, and other articles privileged from execution, and the title thereto shall not vest in his trustee, agreeably to the previous provision on this subject: Provided, that a schedule of articles so retained, verified by oath, be produced to the court or judge discharging such insolvent, and filed, and such court or judge may require the articles mentioned in such schedule to be produced, and cause them to be appraised, and may order such of them as such court or jury may deem unnecessary, unreasonable, or not to come under the description of privileged articles, to be delivered up for the benefit of the creditors; or such court or judge may allow the insolvent to retain them, becoming debtor to his trustee for the appraisement. This however, to be regarded as an indulgence in the discretion of the court or judge, who shall also have power to determine the length of the credit.

20. Every insolvent may retain the necessary tools of his trade, filing a schedule of them, verified by oath, and procuring them to be appraised under an order from the court or judge discharging; but such insolvent shall be regarded as a debtor to his trustee for the amount of the appraisement. The debt to be paid at the time prescribed by the court or judge. Every insolvent may refuse to take his tools at the appraisement, either before or after the appraisement is made.

21. Every schedule, appraisement, petition or other paper produced before a single judge, in a case of insolvency, or made by order of such judge, shall be filed with the clerk of the court of which such judge is a member.

22. Whenever any person shall have applied for permission

to assign his property for the benefit of his creditors, and a trustee shall have been appointed and given bond in the manner herein before provided for, it shall be the duty of the court or judge approving such bond, to cause the same to be transmitted to the clerk of such court, and every clerk of such court shall forthwith record all the papers touching such application and appointment, including said bond, in a book to be kept for that purpose, and shall transmit the original papers to the authority to whom such trustee is bound to render an account, agreeably to the foregoing provisions of this chapter: who shall retain the same, and summon the trustee as often as may be deemed proper, to render an account of his trust; and shall keep a docket or list, of all such cases, containing the names of the insolvents, of the trustees, and of the securities of the trustees, and shall note thereon the dates of all accounts rendered by the parties, and the balances due from such trustees by such accounts, and shall keep an index to such docket in the name both of the trustees and insolvents.

23. The word imprisonment, wherever it occurs in this chapter, shall be so understood, that the court or judge, authorised to impose the same, may in the exercise of a sound discretion, substitute for imprisonment, properly so called, labour on the public farm, with close confinement at night.

CHAPTER XX.

OF APPEALS.

1. Every person against whom any judgment is rendered, shall after a court of appeals has been provided, by law, be entitled to appeal from any decision or opinion of any court, except such court of appeals.

2. There shall be no appeal from any verdict of a jury, in any question of mere fact, except to the court in which the case was tried, for the purpose of setting aside the verdict in the manner herein before provided for.

3. It shall be the duty of the party, who intends to appeal from any opinion or decision of a court, which does not appear upon the face of the ordinary proceedings in the case, to cause such opinions or decision, with the evidence and prayer or

Maryland Historical Society

The Maryland State Colonization Society Papers

XIII. Colonization Pamphlets

1. The Declaration of Rights,
The Constitution of the
State of Md. in Liberia
(rough draft, engrossed copy, printed copy)