

Case No. 8,693.

MCCLEAN v. PLUMSELL.

[4 Cranch, C. C. 86.]¹

Circuit Court, District of Columbia.

May Term, 1830.

IMPRISONMENT FOR DEBT—PRISON-BOUNDS BOND—CLOSE CUSTODY.

An insolvent debtor, found guilty upon allegations filed under the 7th section of the insolvent act of the District of Columbia [2 Stat. 237],

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will not be ordered into close custody if he is out upon a prison-bonds bond.

{Cited in *Eckle v. Fitzgerald*, Case No. 4,267.}

Allegations were filed by Cornelius McClean, a creditor, against Thomas Plumsell, a petitioner for the benefit of the “Act for the relief of insolvent debtors within the District of Columbia,” upon which he was found guilty.

Mr. Morfit, for creditor, prayed that the debtor might be committed to close custody, although he was out upon a prison-bonds bond.

But THE COURT refused, and directed that the entry of the judgment of the court be, “that the said Thomas Plumsell be precluded from any benefit under the act,” &c., according to the precedent in *Newton’s Case* [Case No. 10,188], at April term, 1824.

See the case of *Keirll v. McIntire* [Case No. 7,651], at May term, 1826, and *Eckle v. Fitzgerald* [Id. 4,267], at this term.

¹ {Reported by Hon. William Cranch, Chief Judge.}