

## Case No. 9,781.

MOORE v. WILMARTH ET AL.

{4 Leg. Int. 195.}

Circuit Court, D. Massachusetts.

Nov. 5, 1847.

EXECUTION—IMPRISONMENT FOR  
DEBT—FEDERAL COURTS—FOLLOWING STATE  
PRACTICE—PUBLIC AND PRIVATE DEBTORS.

1. If a debtor, after suit in this court, takes the benefit of the insolvent laws of Massachusetts, he is entitled, under the acts of congress as to imprisonment for debt, to have an execution issued against his property alone.

{See *Moan v. Wilmarth*, Case No. 9,686.}

2. The body of a private debtor, when sued in a United States court, is imprisoned, or not, on execution, according to the laws and policy of the state in which the execution issues; but an execution against a debtor to the United States is governed by the uniform and fixed laws of congress.

{See *Moan v. Wilmarth*, Case No. 9,686.}

Before WOODBURY, Circuit Justice.

{Nowhere more fully reported; opinion not now accessible.}

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