

shall be held to bail in any civil suit in the District of Columbia, unless on affidavit, filed by the plaintiff or his agent, stating in cases of debt or contract the amount which he verily believes to be due, and that the same has been contracted by fraud or false pretences, or through a breach of trust, or that the defendant is concealing or has concealed his property in the District or elsewhere, or is about to remove the same from this District or the place of his residence, in order to evade the payment of the debt, or that, being a resident of the District and domiciled therein, is about to abscond without paying the debt, and with a view to avoid the payment of the same, setting forth all the facts on which said allegations of fraud or breach of trust are founded, and in all cases setting forth the grounds, nature, and particulars of the claim. The sufficiency of the affidavit to hold to bail, and the amount of bail to be given, shall, upon application of the defendant, be decided by the court in term time, and by any single judge in vacation. In all cases in which the affidavit required by this act is not filed previously to issuing the writ, the defendant, upon its service, shall not be required to give bail, but merely to sign an order to the clerk of the court to enter his appearance in the cause, which, if he refuses to do, he may then be held to bail as in other cases.

Persons not to be held to bail in civil suits except on affidavit, in certain cases.

Sufficiency of affidavit, &c. how to be determined.

Relative to the discharge of persons now held to bail in civil suits.

SEC. 2. *And be it further enacted*, That any person now held to bail in a civil suit in the said District may apply to the Circuit Court of the said District in term time, or to any judge thereof in vacation, for a rule to show cause why he shall not be discharged on filing a common appearance, and shall be so discharged unless the plaintiff or his agent shall file a sufficient affidavit, in conformity with the provisions of the preceding section, within a reasonable period of time, to be assigned by the court or the judge to whom the application is made.

APPROVED, August 1, 1842.

STATUTE II.

Aug. 1, 1842.

CHAP. CIX.—*An Act to extend the provisions of an act entitled "An act to regulate processes in the courts of the United States," passed the nineteenth May, one thousand eight hundred and twenty-eight. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of an act entitled, "An act to regulate processes in the courts of the United States," passed the nineteenth day of May, one thousand eight hundred and twenty-eight, shall be, and they are hereby, made applicable to such States as have been admitted into the Union since the date of said act.

Act 19th May 1828, ch. 68, made applicable to States since admitted into the Union.

APPROVED, August 1, 1842.

STATUTE II.

Aug. 3, 1842.

CHAP. CXX. — *An Act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the town of Stonington, in the county of New London, State of Connecticut, shall be a collection district, from and after the thirtieth day of June next; and that the port of Stonington, aforesaid, shall be, and hereby is, made a port of entry.

Stonington a collection district and port of entry. 1842, ch. 177.

SEC. 2. *And be it further enacted*, That the district of Stonington shall comprehend all the waters, shores, bays, and harbors, from the west line of Mystic river, including the villages of Portersville and Noank, in the town of Groton, State of Connecticut, to the east line of Pawcatuck river, including the town of Westerly, State of Rhode Island, any thing in any former law to the contrary notwithstanding.

District of Stonington designated.

(a) See notes of the decisions of the courts of the United States on the subject of process, vol. 1, 93, and notes to the act of May 19, 1828, chap. 68, vol. 4, 278.