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*** START OF THE PROJECT GUTENBERG EBOOK HOW TO COLLECT A DOCTOR BILL ***

HOW TO COLLECT A DOCTOR BILL

[1]

BY

FRANK P. DAVIS, M. D.

Secretary Oklahoma State Board of Medical Examiners, 1908-11.
Superintendent Oklahoma State Institution for Feeble Minded, 1910-11. Member County, State and American Medical Association. Member American School Hygiene Association. Member State and National Eclectic Associations. Member Oklahoma Association of Charities and Corrections. Member Oklahoma Press Association. Member Southwestern Medical Association. Late Editor Davis' Magazine of Medicine, Etc.

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1913

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PREFACE

[5]

My excuse for presenting this little book to the profession is that I have often felt the want of just such information as is herein contained. In fourteen years of practice I have made it a point to study my patients and the business problems that confront the man in our profession. Some of the things that I have learned are embodied in this book. Taking my professional experience as a whole I have collected over **ninety per cent** of my accounts.

If this book shall be the means of causing any physician to study the business side of professional life, and get what is due him, I will feel that I have not worked in vain.

Enid, Okla., June 6, 1912.

FRANK P. DAVIS, M. D.

[6]

CHAPTER I

[7]

THE SUCCESSFUL PHYSICIAN.

A man with a bulging forehead once said that "Life is what you make it." This is very true in the profession of medicine. The successful physician must live in the manner of successful men. To do this, most men must live upon the income from their practice. If the physician properly cares for his wife and children, he must realize on his investment—his medical education. A man's first duty is to his own, and it is written that the man who fails to collect that which is due him, and "provides not for his own, and especially for those of his own house, is worse than an infidel."

To successfully conduct any enterprise it is necessary to adopt business methods. System is the key-note of modern business, and the simplest system is the best. A cash system is by far the simplest.

No man can succeed in practice, nor can he be considered a safe medical adviser so long as he is handicapped by poverty, a worried mind or poor health; or if he is compelled to dodge around corners to escape his creditors.

There are men who tell us that they are not in practice so much for money as for the glory and honor of the profession. If these men are sincere, I pity them from the bottom of my heart, and feel sorry for their wives and children. Nor can I understand where the profession can gain much honor from men who are financial failures. Not that money is the only thing for which we should strive, but that the man who provides not for his own, cannot be representative of the noble profession of medicine. Also, I have observed that the path of glory leads in the direction of the cemetery, and checks on the National Bank of Fame are generally protested when the rent comes around.

[8]

The applause and compliments of the multitude are no doubt sweet, but it only lulls to rest the voice of duty, and fails to provide sustenance for those dependent upon us. Man cannot live on air alone—even though it be flavored by the ambrosia of sweet compliments and the hypnosis of applause. Again, I have observed that a larger crowd will turn out any time to see a man hung than to compliment him on a duty well performed.

The man who answers calls at all hours of the day and night, for any and every one who may

request his services; with no assurance of ever receiving pay; and who is afraid to demand settlement for fear of losing practice, is not competent to conduct his own affairs, much less to practice medicine. It is this class of men who make dead-beats of our patrons, and thus reduce the income of physicians to a point where a bare existence is all we can hope for.

To be a safe medical advisor requires that the mind be free from the petty cares of life. He should live in a manner in keeping with the dignity of the profession to which he has given his life. He must have a neat office, wear good clothes, have a happy home and a contented mind. [9]

It is well to achieve the reputation of being an indefatigable and shrewd collector. It pays. It will influence your regular patrons to pay more promptly. It will also help to keep away those who trespass upon your time and never pay you. The only sure way to hold practice is to require your patrons to pay their bills promptly. If they do not owe you they are not so liable to avoid you and cease to employ you. Let a family once get greatly in arrears, then it will happen that—not having the cheek to face you—they will call another physician, and give every reason but the true one for deserting you. Thus, through your own neglect you lose patronage, friends and your good name and reputation. The public will never place any higher value on your services than you do yourself. The death-knell of any physician's success is tolled when he becomes known as a "cheap doctor."

Not only must you require others to pay you, but you must also pay your own bills. Physicians, as a rule, are considered poor pay by business men. It is a very good rule in life to discount all bills that you owe, and never to discount a bill due you. Make it a rule to never owe any man anything, and to have as few owe you as possible. [10]

Many physicians will cut their bills to whatever the debtor cares to pay. In this way they lose a large part of their fees, and achieve the reputation of being poor business men.

I heard an old Arkansas doctor relate his experience in discounting a bill that well illustrates the weakness of many physicians. A client owed him \$60, and after the account had run about six months, the man came in and said, "Doc, I hain't got the money, but if you will cut that bill in two I'll borrow it from my father-in-law." The doctor thought \$30 would be better than waiting, so agreed. Three months later the man returned and said, "Doc, I couldn't get the money from my father-in-law, but I have a fat hog I can sell and get some money if you will cut that bill in two." The account was growing old and the doctor thought he had better take the \$15, so he said all right. Six months from that time the fellow hove in view again. This time he said, "Doc, my wife thought we needed that hog for meat and I couldn't get her consent to sell it, but I have a job now, and if you will cut that bill in two, I'll pay you." This time the doctor thought he saw \$7.50 in sight, so again he agreed. "All right, Doc," said the debtor, "as soon as I get in a few weeks work, I'll be in and pay you." The doctor said the fellow did come around a few months later and began a similar story, but he told him to go to a country where rotary snow plows are not much in demand. [11]

One of the greatest mistakes is in allowing accounts for different cases to accumulate until the amount becomes so large that it is difficult to pay. It is always best to require settlement as soon after each case is dismissed as possible. In sending statements, be careful to itemize by cases only, as "John, fever, \$15," "Wife, confinement, \$25," etc. I seldom give the disease unless it is some special case that required much attention. In some cases it refreshes their memory when reference is made to the disease.

You must know your business. Give every man a square deal, and require others to do the same by you. When you have completed your work, remember the advice of old Prof. Joslyn, "Get money, still get money, boy, no matter by what means" so long as it is justly due you for services rendered. If you fail to require your patrons to pay you for your services, you have not done your full duty.

CHAPTER II

ATTITUDE TOWARD DEBTORS.

A fundamental principle in being a good collector is to never lose the good will of your patrons. So long as you are on friendly terms with a man you can approach him and talk over the matter. It will be easy to keep advised as to what he is doing, and when he is expecting to receive money. The time will come sometime when he can pay at least a part or secure your claim. We must not lose sight of the fact that in this country poor men sometimes become rich, and rich men sometimes become poor, and we should deal with them accordingly. It is poor business policy to permit well-to-do clients to run up big bills, and at the same time hound your poor patrons. [12]

One of the easiest ways to collect a bill, when they have persistently failed to pay, is to loan them some money. This plan is fully covered in the following editorial from **Davis' Magazine of Medicine**.

"Let us now consider the investment of the doctor's savings. His fees are received in small sums,

generally ranging from a few dollars to a hundred dollars at a time. He seldom has over a few hundred dollars on hand at any one time. And failing to find a good place to invest such sums as he has, he becomes a prey for the stock companies and the land sharks, where he can make his investment on the installment plan. Most physicians are earnestly seeking a safe investment for these small sums of money, but very few have found a plan that appeals to them. Most of the advice one gets from the journals is 'Don't' or to invest in farm mortgages. When he looks around for a farm mortgage he finds that the small amount of money he has to loan will not meet the requirements of the man who desires the loan. Even should he find a small loan that he could handle, the interest would be so low, that it would produce a very small income after paying taxes. I believe the doctor's earnings should net him ten per cent, and be in such form that he can realize on them in case of emergency. To take chances on getting a greater rate of interest would be to accept too great risk, and a less rate would be poor business policy.

[13]

"The problem simmers down to about this: How can we invest small sums, from twenty-five to one hundred dollars, so they will be safe, and earn at least ten per cent interest?"

I solved this problem several years ago while engaged in general country practice. In fact, it can be applied better in the country than in the city. The plan is this, loan your money to your slow pay patrons. Sounds risky, don't it? I have found it to prove a success. I learned that most of my poor pay or slow pay patrons were always ready to borrow money, and that they could generally secure me with chattel mortgages, or get good men to sign their notes. The note and mortgage always covered the amount loaned and the amount of my bill. There are few who cannot give you suitable security, and these few should be turned over to the other doctor who is practicing for the love and honor of the profession.

"When it is known that you have a little money loaned out, and that you will only loan to those who have you for their physician, your practice will steadily grow."

[14]

Be on your guard and do not permit your old accounts to become "outlawed" by the statutes of limitations of your State. This may be prevented in a measure by getting a small payment from time to time on account, as the law of limitations does not apply until the lapse of the period of time named in the law, after the last payment on the account or note.

The exemption laws of most states are so liberal that a very small per cent. of physician's bills could be collected by law, should the debtor elect to take advantage of the exemption law. The only safe method is to put it up to your client as a debt of honor, and depend upon their inherent honesty and pride. It does no good to sue a man for a doctor bill except in extreme cases. You will lose more than you will gain. Not only will you in all probability lose the account and expenses, but you will make a lot of enemies, who will injure your practice more than the amount of the bill.

Treat your poor patrons with the same respect and courtesy that you do rich ones. Mr. Smith will do his best to pay you, while Old Bill Smith will not exert himself very much to balance your ledger. Then above all treat the woman in the flowered Mother-Hubbard as if she were the Queen of Sheba, and the off-color lady from the red-light district as you would the President of the Purity Society. The child that is ragged and dirty should receive the same cordial attention as the one in silks. When the time comes that you cannot treat all your patrons as you would like for them to treat you if your positions were reversed, it is time for you to "Fold up your tent like the Arab and silently steal away," your usefulness is at an end. The day when you can make money in that location has passed.

[15]

Be kind to little children. Women and children furnish the greater part of our patrons. Men do not count for much in the practice of medicine,—unless you are a G-U specialist. I have always found that where grandma and the children liked me, that I had no trouble in getting practice or in collecting my money.

Do not pad your accounts. Charge what you consider your services worth, and then stick to it. Deal a square hand to all. The golden rule is just as bright and as true today as it was thousands of years ago, and it is not recorded that any man was ever hung that lived up to it. After you have done your full duty **demand** that your patrons do their duty by you. Keep after the money that is justly due you. Get money; but get it honestly. You will be criticised by some, and cussed by others, but in the words of Carrie Nation, "Why care for the criticism of men who change and die?"

[16]

And finally remember, that in this world there is nothing that will pay dividends equal to smiles—unless it is gall, and do not forget the injunction of the prophet, "Physician, 'heel' thyself," lest in old age the world will say, "Well done, good and faithful servant; enter thou—into the poor house."

CHAPTER III

PROPER TIME TO COLLECT.

"To every thing there is a season, and a time to every purpose under the sun."—Eccle. 3: 1.

The time to collect depends to a considerable extent upon the location and the class of patronage. In cities, as a rule, collections should be made weekly, as many patrons move frequently, and you lose track of them. It is proper and wise to present your bill as early after the service is rendered as possible. Bills should be presented to working men at the time of their regular payday. In country practice I have found it best to send statements monthly and to require settlement quarterly by cash or note. I have adopted this rule in a cotton country where it was the rule to only pay the doctor once a year, if at all. Farmers and planters can borrow money to pay the doctor as well as they can to pay farm hands and cotton-choppers, or at least can give notes bearing interest. [17]

When a man consults you and commences to run down some other doctor, require him to pay cash. He's in bad with the other fellow. Dead-beats should never be temporized with. Don't do a man's practice in the hope that he will pay you, when you know that he has beat the other fellow.

While every case is to a certain extent a rule unto itself, yet, there are a few essentials that are necessary to make a success in collecting. The two principle rules are, to keep everlastingly after them, and never to lose their friendship. So long as you are on good terms there is hope.

Keep your accounts collected closely. The man who carries more than one-third of his business on his books is a business failure. Old accounts breed knockers. Go thou to the lawyer and consider his ways—then cinch the money.

Never employ a collector on commission. Your office girl will prove the best collector if you have not time to attend to it yourself. In fact, for general collecting, she will prove the best collector you can get. Give her an honorium in addition to her salary if she makes good. At many places the collector will be informed that the party she is seeking is not at home, or is not in the office. Instruct her to stay until they return, even if she finds it necessary to take her sewing along, and spend the day. Frequently the party desired is just hiding in another room, waiting until the collector leaves. Rather than stand the siege of a determined collector they will sometimes pay the bill. The collector should carry a note-book and jot down just what the debtor has to say. This should be done in the presence of the debtor. Collectors should always try to get something on account, even if only 25 or 50 cents. It keeps the account alive, and helps defray expenses. [18]

Take notes if you find it impossible to get the cash. Have them well secured if possible. Where you cannot get security get at least two names on the note. Two dead-beats are better on a note than one on the books, but, better still, get the "order note" shown on another page of this book. If you take unsecured notes have them to mature in not to exceed thirty days. Don't overlook the fact that a married woman's note is valueless in many states.

Frequently a debtor will promise to pay at a certain day, and then usually fails to show up. When he makes the promise, make a note of the time in your note-book. If he fails to keep the appointment, write him a nice letter, something along this line:

Dear Sir:—

I am sorry that I was not in the office on the 15th. when you called to settle your account. When we were talking about the matter the other day I neglected to tell you that if I was not in the office when you called you could pay the office girl, and that she would give you a receipt for the amount. [19]

I hope that you are well and prosperous, and that little **Mary** has fully regained her strength.

If I am not in when you come up again, just pay the amount to the girl and it will be all right.

Thanking you for your attention to this matter, and wishing you success, I remain,

Yours very truly,

This will generally bring him in with many excuses and some money.

CHAPTER IV

BOOKKEEPING AND STATEMENTS.

A simple system of keeping accounts is necessary. There are many systems on the market, ranging all the way from the simple blank ledger to the elaborate desk systems. I prefer the card system or the single book. As only records of original entry are accepted in courts as evidence of account, a complicated system would hardly be suited to the average physician. The entry must be so clear and simple that any ordinary person can readily understand the account, hence, any system that depends upon ciphers or marks is valueless. A physician that is a good bookkeeper can no doubt handle the complicated systems successfully, but as I was not trained as a [20]

bookkeeper, the simplest, clear, legal system meets my needs.

Always enter each day's work on the day it is done. Don't wait until tomorrow, or next Sunday to make up your books. By cultivating the habit you can get as much pleasure out of entering charges in your books as you could from some calls. I have seen the time when I got more real joy out of receipting one bill than I would in going seven miles in the country on a stormy night to see a dead-beat. Life is but a joke, but it isn't wise to let the dead-beat have the joke on you all the time.

Don't scatter your accounts on the book. Keep them close together and they will be seen more frequently. It is better to run over the pages when entering charges than to refer to the index, as you will be reminded of other entries that should be made, and accounts that need looking after.

Once an account goes on your books, never lose sight of it or give up until it is settled, or otherwise disposed of. It is a bad habit to skip an account when making out statements. Treat them all alike. It may be advisable to classify your accounts, but you should never fail to push the collection of every account on your books.

In charity practice, enter on your book at the regular rate, and credit to charity to balance. In this way you keep an account of the extent of your contributions to charities.

[21]

Keep a stub of each statement you send out so that your client can not bring in an old one and dispute your account. The following form will meet every requirement for a statement. By retaining the stub you have a complete record of your statements.

No.....		STATEMENT
Name.....	19..
Address.....		Mr.....
Date sent.....		To J. M. SMITH, M.D. Dr.
Previous bill sent		To Professional services
.....		to date - - - \$.....
Am't paid.....		All accounts are due and payable
Collector.....		when services are rendered.

The best way to hold practice is to collect your accounts. More people change doctors because they owe big bills than for any other reason.

Never tell a debtor that you are hard up and need the money. He won't believe you, and will not only neglect to pay you, but will change to some other doctor. Tell them that you must have the money because it is yours and that you want the profit that may be made with it. Put it up to them as a plain business proposition and loan them the amount if they pay you interest and give good security. They will respect you when you make them pay. A man is judged in this country by his business success. Most men would rather pay a lawyer a thousand dollars to keep them out of the penitentiary for a year, than to pay a doctor fifty dollars to keep them out of hell for a life time.

[22]

Office and transient practice should be cash or an order note. The following form will prove valuable:

.....191..

After date, for value received, I promise to payor
order.....Dollars, the same to be paid
in.....payments of \$.....each, until the sum
of \$..... has been paid.

For Value Received, I, the undersigned, hereby sell, assign, transfer and set over unto.....all my right, title and interest in and to all of my salary, wages or any moneys due, or to become due, to the amount of.....Dollars, from any person, firm or corporation, and order the said amount to be paid to the bearer out of the first moneys due me after the presentation of a copy of this instrument. I hereby irrevocably waive all exemptions or other rights I may have by means of any law of any state in which I now, or may hereafter be employed or reside. I agree to pay all costs and attorney's fees that may be incurred in collecting the above amount.

Name.....

Occupation..... Address.....

Employed by..... Address.....

I have this form printed on cards and file them in a card file. This contract note not only helps to get the money, but it solves the problem of holding chronics and venerals. It is seldom necessary to present the order for payment. When you write a letter advising your client that you will be compelled to present the order to his employer if he doesn't come in and see you, he will show up in a very short time.

[23]

Subscribe to the Merchant's Exchange. If a man will not pay his store bills you cannot expect him

to pay his doctor. Get the cash when you find his name on the list, or let the other doctor have the case.

After entering an account on your books, make no rebates or discounts. Buy a hog for four times its value, if necessary, but don't discount your bill.

If account is paid by check, remember the following points:

When a check is post-dated (dated ahead), if payed before the date mentioned, the money can be recovered.

When post-dated checks fall due on Sunday or a legal holiday they should be presented on the day following.

Changing the dates of checks without the consent of the drawers will make the checks void.

Checks that are not dated, or that do not contain any statement when they are to be paid, are never payable.

Bank checks are but orders on the bank for the payment of money, and are payable in the order in which they are presented at the bank.

Do not hold checks, but present them for payment as soon as possible.

If a check is not paid on proper presentation, resort may be made to the original claim. Have the banker endorse the reason for non-payment on the check.

[24]

Certified checks are checks that have been endorsed by the bank, and constitute payment as to the persons drawing them.

If a check is turned down at the bank notify the drawer at once.

If you receive a check and endorse it and place in your bank for collection, and it is turned down, do not return it to the drawer until you get a remittance to cover, without first erasing your endorsement.

CHAPTER V

FORMS AND COLLECTING LETTERS.

Nearly every form of letter that has been devised for collecting physicians accounts has been based upon those used by installment houses and those in general use by wholesale merchants who deal with retail dealers. They all carry the bluff idea. This is all right in dealing with installment customers with whom you have a contract that will take away the goods purchased, or with retail merchants who know they must meet their obligations if they continue in business. The credit men of mercantile institutions keep tab on their customers through the local merchants exchange and the commercial agencies, and are in a position to know to what extent it is safe to extend credit. The merchant cannot refuse to pay his bills and go to another wholesale house and buy goods, hence if he is a little tardy in meeting his obligations the bluff letter will awaken him to the necessity of paying the bill.

[25]

With the doctor's customers it is altogether different. He knows that he cannot be compelled to pay the bill, and that some other physician will be only too ready to come at his call.

It is then evident that the bluff idea will not work with the man who knows that he can get another doctor whenever he wants one, and that he is so protected by the exemption laws that the bill cannot be collected by resorting to law. So in reaching this class we must devise other plans if we hope to accomplish anything. Here, my experience has shown that sentiment is the key note in an effective collecting letter for physicians. I have found that the more human interest, sentiment and friendly feeling that can be woven into the letter the better it is. Every time that I write a letter to a client I try and refer in some manner to the patient or to some member of the family, and try to impress them with the fact that I have a personal interest in them. The following forms are suggestive of the idea, and have proven very successful in my practice. The classification is, of course used with every account—they are all No. 1 until they fail to pay. The word "Class" and the number are stamped with a rubber stamp. Letters of this kind should be pen written—typewriter and form letters will not answer, they lose the personal sentiment.

[26]

A duplicator that will easily reproduce 100 copies of a pen written letter may be had for about \$5, and the letters may be "formed" on this, leaving space in which the personal matter may be written. If properly done they will have the appearance of a hand written letter. Don't have your letters too polished. Remember you are a very busy man—just writing a note to a friend. Omit the rhetorical embellishments from this class of correspondence in all cases.

The first of my series of letters is along the following line.

CLASS 1.

Dear Sir:—

In looking over my books with a view of raising a small amount of money, I note there is a balance due on your account of **\$10.00**, and as you have always been one of my best paying patrons, I have let this run, knowing I could get it whenever I called on you. I always divide my accounts into three classes: 1. Those who I can depend upon to pay when I call on them. 2. Those who are slow to pay, and that I must keep after. 3. Very poor pay and unsatisfactory clients. Whenever one of my patrons fails to respond to my statements it reduces him to the next lower class.

As you are one of my First Class patrons, I know you will be only too glad to assist me at this time. I saw little Mary on the street the other day, and she is looking well and hearty. I am glad she is so well, as we had a hard fight to save her last spring.

[27]

Wishing you health, happiness and success, I am,

Yours very truly.

Now if this fails to bring the money, we will try Class No. 2.

CLASS 2.

Dear Sir:—

I was very much disappointed in not receiving the small amount of your account, **\$10.00**, as you were one of my Class 1 customers, and I felt sure you would not fail me when I called on you. I hope you will attend to this at once, as I would like to place you back on my Class 1 list.

A good credit is the greatest asset that any man can have, and I find I can only maintain my credit by making prompt payment of my bills. To do this I must have a prompt settlement of the bills due me. I know that you value a good credit, and feel sure that you will not again disappoint me.

How is baby getting along? I guess he can almost stand by this time. Come in and see me any way, and we can no doubt make arrangements that will help us both out, and continue the best of friends.

Yours very truly.

In case he is not interested in your friendship, and does not show up with the money, we will try our third and last shot. [28]

CLASS 3.

Dear Sir:—

I am very sorry that you did not see fit to reply to my letters of **July 15** and **August 15**. Not so much on account of your failure to pay me the **\$10.00** which you owe, but because I dislike to lose faith in my fellow man, and you know it hurts a fellow when he finds his judgment was wrong. I have often wondered how I would feel if I knew my little child was up in heaven, looking down at me with her angelic eyes, wondering why I did not pay the doctor who worked so hard all night to give her ease and to keep her with me. I don't believe that I could be happy.

Still **John**, I believe in you, and feel sure you will come in and see me about this little matter. I just can't believe I was mistaken in you.

Wishing you success, I am,

Very truly yours.

The personal matter must be fitting to the case. If your patients do not die, you might speak of the "innocent little babe who will grow up to womanhood unpaid for." Lawyers in Oklahoma hold a lien on the cause of action until their fees are paid. Wonder how that would work with the medical profession?

The point that I want to press home to you is that if you cannot get a settlement with sentiment, you cannot get it any other way. You cannot bluff them for they know they are execution proof. Read the exemption laws of your state and you will find that there is not a third of your patrons but could beat you if you tried to enforce payment by law. [29]

Here are some thoughts that have been worked into form letters that may give you an idea that you can use in some special cases:

"Your continued silence after receiving our previous letters, compels us to infer that you neither propose nor intend to remit us the small balance on your account."

"The amount is justly due, and we now state positively that on account of our having been patient, lenient and courteous with you in the past we cannot let the matter drop at this time by merely writing you."

"From information we have received from different sources we appreciate the fact that you are amply able to pay the amount due."

"We are placing the utmost reliance upon receiving a remittance from you in the next few days."

Sometimes you can get settlement by means of a sight draft. Some people seem to fear a bank and will pay an account when held by a bank when they would pay no attention to anyone else.

Always get an order from a corporation before rendering service. If they call you to attend any of their employees, have them sign an order before giving the case any attention, otherwise you may not be paid for your services. They will refuse to pay, and the patient will claim he did not call you. Have some order cards with you all the time for the signature of corporations or others who will call you to attend a patient who is not related to them. The following form will answer: [30]

.....1912

Dr. John Smith:

You will please attend

.....

during his present illness.

.....

When some corporation or other responsible party calls you up and wants you to attend some one, have them sign the card, then they will be bound to pay if the patient fails to do so. The person representing a corporation should sign, as in many cases they have no authority to bind the company.

CHAPTER VI LIMITATIONS.

[31]

The following table gives the time an account or instrument of writing, (note, judgment, etc.) will survive before becoming "out-lawed" by the statutes of limitations in the several states.

	Open account years	Note years	Judgment years
Alabama	3	6	20
Alaska		6	10
Arizona	3		

Arkansas	3		10
California	4	4	5
Colorado	6	6	6
Connecticut	6	17 ^[1]	
Delaware	3	6	
Florida	3	5	20
Georgia	10	6	7
Hawaii	6	6	20
Idaho	4	5	6
Illinois	5	10	10 ^[2]
Indiana	6	10	20
Iowa	5	10	20
Kansas	3	5	5 ^[3]
Kentucky	5	5	15
Louisiana	3	5	10
Massachusetts	6	20	20
Michigan	6		10
Minnesota	6	6	10
Mississippi	3	6	7
Missouri			10
Montana			6
Nebraska	4	5	
Nevada	3	4	6
New Hampshire			20
New Jersey			20
New Mexico	4	6	7
New York		10	20
North Carolina	3	3	10
North Dakota	6	6	
Ohio	6	6	15
Oklahoma	3	5	
Oregon	6	6	10
Pennsylvania	6	6	20 ^[4]
Rhode Island	6	20	20
South Carolina	6	6	20
South Dakota	6	6	20 ^[5]
Tennessee	6		10 ^[6]
Texas	2	4	10
Utah	4	6	8
Vermont			
Virginia	2	5	10
Washington	6		6
West Virginia	5	5	10
Wisconsin	6	10	20
British Columbia ^[7]			
Manitoba	6		10
Wyoming	8	5	10
New Brunswick	6	6	20
Nova Scotia	6		20
Ontario		6	10
Quebec	5 ^[8]	5	
Mexico	1	3	

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[1] Promissory note not negotiable.

[2] Justice Court. Court of Record, 20 years.

[3] Judgment may be kept alive by issuing execution every five years.

[4] May be revived by proof of non-payment.

[5] If judgment is from any other state, 10 years.

[6] "Where the statute of limitations of another State or government has created a bar to an action upon a cause accruing therein, while the party to be charged was a resident in such State or under such government, the bar is equally effectual in this State." (Code (M. & V.) Sec. 3481.)

[7] "All actions for debt upon any recognizance, shall be commenced within twenty years after the cause of action arose."

This table is as near complete as we are able to make it at this time. The laws are changed frequently. This is accurate enough to enable any physician to look over his books and find what per cent. of his accounts have outlawed by his failure to enforce payment.

Remember that a payment, however small it may be, will revive an account, even after it has become outlawed. Hence the advisability of getting small payments at every opportunity. These payments should be less than one year apart, as some States do not consider payments made over one year apart.

Under the Oklahoma law a foreign judgment is limited to one year. In West Virginia a foreign judgment against a person who has been a resident of the State for ten years is barred.

A similar clause to the following, taken from the laws of the State of Washington, is incorporated in the acts of nearly all States, and may be considered as a general rule:

"In an action brought to recover a balance due upon a mutual, open and current account, where there have been reciprocal demands, the cause of action shall be deemed to have accrued from the time of the last item of the account proved on either side, but when more than one year shall have intervened between any of a series of items, they are not to be deemed such an account."

Thus, if you do practice for a person, and a year elapses and you again attend him, you cannot combine the two as one account, and enforce collection by law.

CHAPTER VII

EXEMPTION LAWS.

Before starting a suit to collect money due you, carefully read up on the exemption laws of your State. After carefully considering the matter you will find that a judgment, if obtained, will avail you nothing, should the debtor elect to take advantage of the exemption allowed him by law. [34]

Some States are very liberal in the amount of property a man may hold which is exempt from execution on a judgment for indebtedness. Take for instance, the State of North Dakota, where the head of a family may hold a homestead and personal property to the value of \$6,450, and in case the head of the family should die, and was insured, the widow and children could hold an additional \$5,000 of life insurance money, making a total exemption of \$11,450.

Delaware is the only State that has made a special provision for physicians in any manner. Here the statutes provide that a physician's bill shall be a preferred claim for services in the last illness of the patient.

In nearly all States the exemption runs to the widow and minor children. This is so general a rule that I have not included that part of the statutes covering this phase of the law. There is no exemption against money due on mortgages, for the purchase price of property, for manual labor or taxes. Tennessee also provides that there shall be no exemption on fines for failure to work the roads, for voting out of the district the voter lives in, for carrying concealed weapons, or for giving away or selling intoxicating liquors on election day.

Rhode Island exempts wages due or accruing to seamen.

Pennsylvania does not exempt the homestead, and personal property to the value of three hundred dollars only is exempt. The chances to collect a bill in Pennsylvania are better than in any other State, so far as the exemption laws are concerned.

Oregon exempts one gun or revolver to each white citizen over sixteen years of age, in addition to the other exemptions.

Public buildings owned by the State or municipality are always exempt. Other buildings are not exempt against liens for material or labor used in their construction. [35]

The exempt property may be selected by the debtor, or on his failure to make such selection, some States permit the wife to make the selection, but in case no selection is made, the proper officer will make the selection for them.

The exemption of estates generally runs until the youngest child is of age. Judgments usually expire in twenty years or less if not renewed. Hence you will see that the attorney's fees that you will have to pay to secure judgment will generally be worth more to you than the judgment, if you have to wait so many years to satisfy it.

CHAPTER VIII

EXEMPTION LAWS.

The following extracts from the statutes of the various States gives the exemption laws in so far as they apply to the collection of accounts.

ALABAMA.

The personal property of any resident of the State, to the amount of one thousand dollars, to be selected by such resident, is exempt for any debt contracted since the 13th of July, 1868. Every homestead, not over eighty acres of land, if in the country, or any lot in a city, town or village, to be selected by the owner, together with the improvements thereon, not exceeding two thousand dollars in value, is exempt from execution for any debt contracted since July 13th, 1868. The Statutes provide that the homestead may consist of as much as one hundred and sixty acres not exceeding in value two thousand dollars. (Code of Ala. Sec. 4164 et seq.)

ALASKA.

[36]

1. Earnings of judgment debtor, for personal services rendered within sixty days next preceding the levy of execution or attachment, when necessary for the use of his family, supported in whole or in part by his labor. 2. Books, pictures and musical instruments owned by any person, to the value of seventy-five dollars. 3. Necessary wearing apparel owned by any person for the use of himself or family, but watches or jewelry exceeding one hundred dollars in value are not exempt. 4. The tools, implements, apparatus, team, vehicle, harness, or library necessary to enable any person to carry on the trade, occupation or profession by which such person habitually earns his living, to the value of five hundred dollars; also sufficient quantity of food to support such team, if any, for six months; the word "team" being construed to include not more than one yoke of oxen, or a span of horses or mules, or two reindeer, or six dogs. Ten sheep with one year's fleece or the yarn or cloth manufactured therefrom; two cows and five swine; household goods, furniture and utensils to the value of three hundred dollars; also food sufficient to support such animals, if any, for six months, and provisions actually provided for family use and necessary for the support of such person and family for six months. 6. The seat or pew occupied by the head of a family or his family in a place of public worship.

Homestead. The homestead of any family, or the proceeds thereof, is exempt. Such homestead must be the actual abode of, and owned by such family or some member thereof, and not exceed two thousand five hundred dollars in value, nor exceed one hundred and sixty acres in extent, if not located in a town or city laid off into blocks or lots, or if located in any such town or city, one fourth of an acre.

ARIZONA.

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Personal property to the amount of five hundred dollars to a family only. One half of earnings of debtor for thirty days next previous to levy necessary to family support are exempt. Prospector's mining tools and camping outfit are exempt.

Homestead. Twenty-five hundred dollars in one compact; not necessary to live on the same, but family must reside in Territory.

ARKANSAS.

The exemption law is contained in the present Constitution, and is as follows: "Section 1. The personal property of any resident of this State, who is not married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of two hundred dollars, in addition to his or her wearing apparel, shall be exempt from seizure on attachment, or sale on execution or other process from any court, issued for the collection of any debts by contract; provided that no property shall be exempt from execution for debts contracted for the purchase-money therefor, while in the hands of the vendee. Sec. 2. The personal property of any resident of this State, who is married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of five hundred dollars, in addition to his or her wearing apparel, and that of his or her family, shall be exempt from seizure on attachment, or sale on execution, or other process from any court, on debt by contract. Sec. 4. The homestead outside any city, town or village, owned and occupied as a residence, shall consist of not exceeding one hundred and sixty acres of land, with the improvements thereon, to be selected by the owner; provided the same shall not exceed in value the sum of twenty-five hundred dollars, and in no event shall the homestead be reduced to less than eighty acres, without regard to value. Sec. 5. The homestead in any city, town or village, owned and occupied as a residence, shall consist of not exceeding one acre of land, with the improvements thereon, to be selected by the owner; provided the same shall not exceed in value the sum of two thousand five hundred dollars, and in no event shall such homestead be reduced to less than one quarter of an acre of land, without regard to value."

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CALIFORNIA.

The following property is exempt from execution for any debt, except it be for the purchase price

of such property, or a debt secured by mortgage, lien or pledge thereon, to wit: 1st. Chairs, tables, desks and books, to the value of two hundred dollars. 2d. Necessary household, table and kitchen furniture of the debtor, including one sewing machine, stoves, stove pipes and stove furniture, wearing apparel, beds, bedding, bedsteads, hanging pictures, oil paintings and drawings drawn or painted by any member of the family, family portraits and their necessary frames, provisions and fuel actually provided for individual or family use sufficient for three months, and three cows and their sucking calves, four hogs with their sucking pigs, and food for such cows and hogs for one month; also one rifle, one shotgun, one piano. 3d. Farming utensils, or implements of husbandry, not exceeding in value one thousand dollars, of the judgment debtor, also two oxen, or two horses, or two mules and their harness, one cart or buggy, and two wagons, and food for such animals for one month, also seed grain or vegetables reserved or on hand for planting within six months, not exceeding two hundred dollars in value; and seventy-five beehives, and one horse and vehicle belonging to any person who is maimed or crippled, the same being necessary to his business. 4th. Tools or implements of a mechanic or artisan, notary's seal, office furniture and records; instruments and library and necessary office furniture of a surgeon, physician, surveyor or dentist, necessary to the exercise of their profession; books, professional libraries and office furniture of attorneys, judges, ministers of the gospel, editors, and school and music teachers, and all the indexes, abstracts, books, papers, maps and office furniture of searcher of records necessary to be used in his profession, and instruments actually used by music teachers in giving instructions; also typewriters used by owner in making his living, also one bicycle. 5th. A miner's cabin, not exceeding five hundred dollars in value, also his sluices, pipes, tools, etc., necessary for his business, not exceeding five hundred dollars in value, and two horses, mules, or oxen, and their harness, and food for the same for one month, when necessary to be used for any windlass, derrick, car, pump, or hoisting gear; and the miner's claim worked by him, and not exceeding one thousand dollars in value. 6th. Two oxen, horses, or mules and their harness and food for one month, and one cart, wagon, dray, truck, coupe, hack, or carriage for one or two horses, by the use of which a cartman, drayman, truckman, huckster, peddler, hackman, teamster, or other laborer habitually earns his living, and one horse, vehicle, and harness used by physician, surgeon, constable, or minister of the gospel in the legitimate practice of his profession or business, with food for such animal for one month. 7th. One fishing boat and net not exceeding the value of five hundred dollars, the property of any fisherman, by the lawful use of which he earns a livelihood. 8th. Poultry worth not more than seventy-five dollars. 9th. Seamen and seagoing fishermen's wages and earnings not exceeding three hundred dollars. 10th. Earnings for personal service rendered within thirty days of levy, if the defendant swears they are necessary for the use of his family residing in the State, and supported in whole or in part by his labor; but only one-half of such earnings are exempt where the debt is for necessaries of life. 11th. Shares in homestead associations, not exceeding in value one thousand dollars, if the debtor has not a homestead selected. 12th. Nautical instruments and wearing apparel of any master, officer, or seamen of any vessel. 13th. All moneys, benefits, etc., accruing or growing out of any life insurance, if the annual premiums paid do not exceed five hundred dollars; if they exceed that sum, a like exemption exists, which shall bear the same proportion to the money, immunities, etc., so accruing or growing out of such insurance that five hundred dollars bears to the whole annual premiums paid. 14th. All fire-engines, etc. 15th. All firearms, etc., required by law to be kept by any person, and one gun selected by the debtor. 17th. All material not exceeding one thousand dollars purchased in good faith for use in or about to be applied in good faith to the construction, alteration, or repair of any building, mining claim, or other improvement entered upon a judgment recovered, for its price or foreclosure of a mortgage thereon. 18th. All machinery, etc., necessary for constructing surface or artesian wells to the value of one thousand dollars. 19th. Shares of stock in any building and loan association to one thousand dollars. 20th. Moneys derived from United States pension.

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COLORADO.

Every householder, being the head of a family, is entitled to a homestead of the value of two thousand dollars exempt from execution and attachment while such homestead is occupied by the owner or his or her family. Entry of homestead is made by writing the word "homestead" on the margin of the recorded title thereof, attested by the recorder with date of entry. There is also exempt from execution and attachment the necessary wearing apparel of every person, and the following property of a person being the head of a family: Family pictures, school-books, and library, a seat or pew in any house of public worship, the sites of burial for the dead, all wearing apparel of the debtor and his family, all beds, bedsteads, and bedding, kept and used for the debtor and his family, all stoves and appendages kept for the use of the debtor or his family, all cooking utensils, and all the household furniture not above enumerated not exceeding one hundred dollars in value, the provisions for the debtor and his family necessary for six months, and fuel necessary for six months. The tools and implements or stock in trade of any mechanic, miner, or other person not exceeding two hundred dollars in value, the library and implements of any professional man not exceeding three hundred dollars in value, one bicycle, one sewing-machine, working animals of any person to the value of two hundred dollars, one cow and calf, ten sheep, and food for same for six months, one farm wagon, cart or dray, one plow, one harrow, and other farming implements, including harness and tackle for team not exceeding fifty dollars in value. If the head of the family dies the family is entitled to the exemption. There is also exemption from levy on execution, attachment, or garnishment sixty per cent. of the amount, due at the time of levy, of wages or earnings of the head of the family or his wife when such family resides in the State and is dependent in whole or in part, upon such earnings, and all wages are exempt when they do not exceed five dollars per week.

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Pension money received from the United States is exempt from all legal process, whether in the actual possession of the pensioner, deposited or loaned, and whether the pensioner be the head of a family or not. This exemption runs to the pensioner's wife and children, or either of them, in case of his death or absconding.

CONNECTICUT.

The following property shall be exempted and not liable to be taken by warrant or execution, namely: of the property of any person, his necessary apparel and bedding, and household furniture necessary for supporting life, arms, militia equipments, uniforms, or musical instruments owned by any member of the militia for military purposes, any pension moneys received from the United States while in the hands of the pensioner, implements of the debtor's trade, his library not exceeding five hundred dollars in value, one cow not exceeding one hundred and fifty dollars in value, any number of sheep not exceeding ten nor exceeding in all one hundred and fifty dollars in value, two swine and two hundred pounds of pork, and poultry not exceeding twenty-five dollars in value; of the property of any one person having a wife or family, twenty-five bushels of charcoal, two tons of other coal, two hundred pounds of wheat flour, two cord of wood, two tons of hay, two hundred pounds each of beef and fish, five bushels each of potatoes and turnips, ten bushels each of Indian corn and rye, and the meal or flour manufactured therefrom, twenty pounds each of wool and flax, or the yarn or cloth made therefrom; the horse of any practicing physician or surgeon of a value not exceeding two hundred dollars, and his saddle, bridle, harness, buggy, and bicycle; one boat owned by one person and used by him in the business of planting or taking oyster or clams, or taking shad, together with the sails, tackle, rigging and implements used in said business not exceeding in value two hundred dollars; one sewing-machine, being the property of any one person using it or having a family; one pew, being the property of any person having a family, who ordinarily occupy it; and lots in any burying ground appropriated by its proprietors for the burial of any person or family. So much of any debt which has accrued by reason of the personal services of the debtor as shall not exceed twenty-five dollars, including wages due for the personal services of any minor child under the age of twenty-one years, shall be exempted and not liable to be taken by foreign attachment or execution.

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Any person owning and actually occupying any dwelling and real estate can file for record, in same manner as a deed, a declaration that he occupies and intends to occupy said dwelling and real estate as a homestead, and from the filing such declaration said property, to the value of one thousand dollars, shall be exempt from execution so long as actually occupied by the owner as a dwelling, and only the excess in value above one thousand dollars can be set off. (Gen. Stat. 1902 Sec. 4065, 4066.)

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Money due on insurance losses for exempt property, whether real or personal, are also exempt.

DELAWARE.

Family Bible, school-books, and family pictures, seat or pew in church, lot in burial ground, all wearing apparel of debtor and family, and in addition to above tools, implements, and fixtures necessary to carry on a trade or business, not exceeding seventy-five dollars in New Castle and Sussex Counties and fifty dollars in Kent County. There is exempted to the Head of a family, in addition to above, other personal property (goods and chattels of a merchantable character bought to be sold and trafficked in by the debtor in the transaction of his or her business or occupation, excepted) not exceeding two hundred dollars in New Castle County, and not exceeding one hundred and fifty dollars in Kent County, and in the latter county consisting of household goods only; but there is no such additional exemption in Sussex County, and there is no such additional exemption when such exemption would prevent the collection of a debt due or growing due for labor or services (other than professional services) rendered by any clerk, mechanic, or other employee of the debtor. Sewing-machines owned and used by seamstresses or private families are exempt from execution on attachment process, and also from distress for rent. In New Castle County ninety per cent. of all wages are exempt from execution attachment, except for board, lodging, or both, not exceeding fifty dollars. Widows in all cases shall have the benefit of the same exemption out of the husband's goods that the husband would have had if living. Funeral expenses, reasonable bills for medicine and medical attendance, nursing, and necessaries of last sickness, are paid out of personality of a deceased person before there is any application to the execution. Above exemptions extended to distress for rent.

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DISTRICT OF COLUMBIA.

The following property is exempt from execution: Wearing apparel belonging to all persons and to all heads of families being householders; beds, bedding, household furniture, stoves, cooking utensils, etc., not exceeding three hundred dollars in value; provisions for three months' support, whether provided or growing; fuel for three months; mechanics' tools and implements of professional man or artist to value of three hundred dollars; one horse, one mule, or yoke of oxen; one cart, one wagon or dray, and harness for such team; farming utensils, with food for such team for three months, and if the debtor be a farmer, any other farming tools of value of one hundred dollars; all family pictures and all family library not exceeding in value four hundred dollars; one cow, one swine, six sheep. (Sec. 1105, Code.)

The earnings, not to exceed one hundred dollars each month, of all actual residents of the District of Columbia, and who are married persons or who have to provide for the support of a family in

the District, for two months next proceeding the issuing of any writ or process from any court or justice of the peace, or other officer of and in the District against them, shall be exempt from attachment, levy, seizure, or sale upon such process; and the same shall not be seized, levied on, or taken, reached or sold by attachment, execution, or in any other process or proceedings of any court, judge, justice of the peace, or other officer of and in the District. (Sec. 1107, Code.)

FLORIDA.

Article X of the constitution of 1885 provides as follows: "Sec. 1. A homestead to the extent of one hundred and sixty acres of land, or the half of one acre within the limits of any incorporated city or town, owned by the head of the family residing in this State, together with one thousand dollars' worth of personal property, and the improvements on the real estate, shall be exempt from forced sale under process of any court, and the real estate shall not be alienable without the joint consent of husband and wife, when that relation exists. But no property shall be exempt from sale for taxes or assessments or for payment of obligations contracted for the purchase of said property, or for the erection or repair of improvements on the real estate exempted, or for house, field or other labor performed on the same. The exemption herein provided for in a city or town shall not extend to more improvements or buildings than the residence and business house of the owner; and no judgment or decree or execution shall be a lien upon exempted property except as provided in this article. Sec. 2. The exemptions provided for in section one shall insure to the widow and heirs of the party entitled to such exemption, and shall apply to all debts, except as specified in said section. Sec. 3. The exemptions provided for in the constitution of this State adopted in 1868 shall apply as to all debts contracted and judgments rendered since the adoption thereof and prior to the adoption of this constitution. Sec. 4. Nothing in this article shall be construed to prevent the holder of a homestead from alienating his or her homestead so exempted by deed or mortgage duly executed by himself or herself, and by husband and wife, if such relation exists, nor, if the holder be without children, to prevent him or her from disposing of his or her homestead by will, in a manner prescribed by law. Sec. 5. No homestead provided for in Section 1 shall be reduced in area on account of its being subsequently included within the limits of an incorporated city or town, without the consent of the owner."

[45]

GEORGIA.

The Constitution of 1877 provided: "There shall be exempt from levy and sale, by virtue of any process whatever, under the laws of this State, except as hereinafter excepted, of the property of every head of a family, or guardian, or trustee of a family of minor children or every aged or infirm person having the care and support of dependant female of any age, who is not the head of a family, realty or personalty or both, to the value in the aggregate of sixteen hundred dollars. No court or ministerial officer in this State shall ever have jurisdiction or authority to enforce any judgment, execution, or decree against the property set apart for such purpose, including such improvements as may be made thereon from time to time, except for taxes, for the purchase-money of the same, for labor done thereon, for material furnished therefor, or for the removal of incumbrances thereon. The debtor shall have the power to waive or renounce in writing his right to this benefit of exemption except as to wearing apparel and not exceeding three hundred dollars' worth of household and kitchen furniture and provision, to be selected by himself and his wife, if any, and he shall not, after it is set apart, alienate or incumber the property so exempted, but it may be sold by the debtor and his wife, if any, jointly, with the sanction of the judge of the superior court of the county where the debtor resides or the land is situated, the proceeds to be reinvested upon the same uses." The act of 1878 carries out these provisions.

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HAWAII.

The following property is exempt from execution, attachment, distress, and forced sale: 1st. All necessary household, table, and kitchen furniture, one sewing-machine, crockery, tin and plated ware, calabashes and mats, family portraits and photographs and their necessary frames, wearing apparel, bedding, household linen, and provision for household use for three months. 2nd. Farming implements and utensils not exceeding five hundred dollars in value; two horses or mules, and their harness and their food for one month; one horse, one set of single harness, and one vehicle of any person who is maimed or crippled. 3d. The tools or implements of a mechanic or artisan necessary to carry on his trade; the instruments and chest of a physician, dentist, or surveyor necessary to the exercise of his profession, together with his necessary office furniture and fixture; the necessary office furniture, fixtures, blanks, stationery, and office equipment of attorneys and judges, ministers of the gospel and rabbis; the typewriter, one desk, and six chairs of a stenographer or typewriter; the musical instruments of every teacher of music, used in giving instruction; one bicycle used in carrying on of one's business or transporting him to and from his place of business; the fishing nets, dips and seines, and the boats with their tackle and equipment, of every fisherman. 4th. The horses or mules and their harness, one cart, wagon, or stage, one dray or truck, one coupe, hack or carriage for one or two horses, by use of which a cartman, drayman, truckster, huckster, peddler, hackman, teamster, or other laborer earns his living; and one horse and harness and one vehicle used by a physician, surgeon, or minister of the gospel in the practice or exercise of his profession. 5th. The nautical instruments and wearing apparel of every master, officer, and seaman of any steamship or other vessel. 6th. All books, papers, pamphlets, and manuscripts, together with book-cases, shelvings, cabinets, and other devices for holding the same except those kept for sale by any dealer therein. 7th. One-half of the wages due every laborer or person working for wages. 8th. The proceeds of insurance on, and the proceeds of sale of the property aforesaid for the period of three months after such proceeds are

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received. (Sec. 1831.) There is also exempt from execution the family Bible, family pictures, school-books, two swine or six goats, and all necessary fish, meat, flour, and vegetables, and one piece of land where kalo or any other vegetable is growing, not to exceed one-half acre actually cultivated for family use, also a house lot not to exceed one-quarter acre, and the dwelling and other buildings thereon, provided the value thereof shall not exceed two hundred and fifty dollars. But this exemption does not apply as against mechanics and material-men having liens for labor or material. (Sec. 1830.)

[48]

INDIANA.

Every resident householder, or resident married woman, may claim as exempt from execution against them respectively his or her property, real or personal, to the amount of six hundred dollars, on any debt founded on contract made since May 31, 1879. This right exists while in transitu from one residence to another within the State, and may be claimed by the wife for the husband in his absence.

The property of a resident householder, exempt from sale on execution, may be real or personal, or both. It must be properly appraised under direction of the officer, after receiving from the debtor a sworn schedule of all his property, credits, effects, etc. The statute makes ample provisions for the sale of real property where it is alone, or in part, claimed under the exemption law, in case its value exceeds six hundred dollars. The exemption does not effect liens for labor, purchase-money, or realty, or taxes in any event.

IOWA.

To an unmarried person not the head of a family and to non-resident there is exempt from execution their own ordinary wearing apparel and trunks necessary to contain the same. If the debtor is a resident of this State, and is the head of a family, he may hold exempt from execution the following property: Wearing apparel of himself and family kept for actual use and suitable for their condition, and the trunks to contain the same; one musket, or rifle, and shot-gun; all private libraries, family Bibles, portraits, pictures, musical instruments, and paintings, not kept for sale; a pew in church; a lot in burying ground, not to exceed one acre; two cows and two calves; fifty sheep and the wool therefrom, and the materials manufactured from such wool; six stands of bees, five hogs, and all pigs under six months; poultry to the value of fifty dollars; the necessary food for all animals exempt from execution for six months; one bedstead and the necessary bedding for every two in the family; all cloth manufactured by the defendant not exceeding one hundred yards; household and kitchen furniture not exceeding two hundred dollars in value; all spinning-wheels and looms, one sewing-machine, and other instruments of domestic labor kept for actual use; the necessary provisions and fuel for the use of the family for six months; the proper tools, instruments, or books of the debtor, if a farmer, mechanic, surveyor, clergyman, lawyer, physician, teacher, or professor; the horse, or team consisting of not more than two horses or mules, or two yoke of cattle, and the wagon with the proper harness tackle, by the use of which the debtor, if a physician, public officer, farmer, teamster, or other laborer, habitually earns his living, otherwise one horse; and to the debtor, if a printer, there is also exempt a printing press and the type, furniture, and material necessary for the use of such printing press and a newspaper office connected therewith, not to exceed in value twelve hundred dollars. But if the debtor being the head of family, has started to leave the State, he will have exempt only the ordinary wearing apparel of himself and family, and seventy-five dollars' worth of property in addition, to be selected by himself. But no exemptions shall extend to property against an execution issued for the purchase-money thereof. The earnings of a debtor, if a resident, and head of a family, for his personal services at any time within ninety days next preceding the levy, are also exempt. If a debtor is a seamstress, one sewing-machine shall be exempt from execution and attachment.

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The homestead of every head of a family is exempt from judicial sale. It may be sold on execution for debts contracted prior to the purchase of such homestead; or for those created by written contract, expressly stipulating that it is liable therefor. If within a city or town plat it must not exceed one-half acre in extent, and if without, it must not embrace in the aggregate more than forty acres; and in each case embraces all the buildings and improvements thereon without limitation as to value. Upon the death of either husband or wife, the survivor may continue to possess and occupy the whole homestead. If there is no survivor and no will, the homestead descends to the issue of either husband or wife, and is to be held exempt from any antecedent debts of their parents or their own. Money received as a pension from the United States is exempt, whether pensioner is a head of a family or not, and a homestead purchased with such pension money is exempt from all debts whether contracted prior or subsequent to such purchase. The avails of all policies of insurance on the life of any individual payable to his surviving widow shall be exempt from liabilities for all debts of such beneficiary contracted prior to the death of the assured, the total exemption for any one person not exceeding five thousand dollars.

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KANSAS.

The Constitution provided that a "homestead to the extent of one hundred and sixty acres of farming land, or of one acre within the limits of an incorporated town or city, occupied as a residence by the family of the owner, together with all the improvements on the same, shall be exempted from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife, when that relation existed. By statute, each resident, being the

head of a family, is entitled to have exempt from seizure and sale, upon any judicial process, the family books and musical instruments, a seat or pew in church and a lot in burial ground, all wearing apparel, bedding, bedstead, stoves and cooking utensils used by the family, one sewing-machine, all implements of industry, five hundred dollars' worth of other household furniture, two cows, ten hogs, one yoke of oxen, and one horse or mule (or, in lieu of one yoke of oxen and one horse or mule, a span of horses or mules;) twenty sheep and the wool from same; the necessary food for the stock above described for one year, either provided or growing; one wagon, cart or dray; two plows, one drag, and other farming utensils including harness and tackle for team, not exceeding in value three hundred dollars; provisions and fuel for the support and use of the family, for one year; the necessary tools and implements of any mechanic, minor, or other person, used and kept for the purpose of carrying on his trade or business, and in addition thereto stock in trade not exceeding four hundred dollars in value, and the library, implements, and office furniture of any professional man."

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A resident, not being the head of a family, has exempt his wearing apparel, church pew, burial lot, necessary tools and implements used in his trade or business, stock in trade not exceeding four hundred dollars; and, if a professional man, his library, implements, and office furniture. (Sec. 3650.) The earnings of a debtor resident of the State for three months are exempt when it shall be made to appear that the same are necessary for the maintenance of a family supported wholly or partly by his labor. (Sec. 6127.)

So, also, the money received by any debtor as pensioner of the United States within three months preceeding the issuing of execution, attachment, or garnishment process must be released when it is shown in like manner that said money is necessary for the maintenance of a family supported wholly or in part by such pension. (Sec. 3653.)

IDAHO.

Execution issue on judgment at any time within five years. Homestead, after the same has been declared and recorded is exempt. Where the selection is made by the husband, or, in case of his failure, by the wife or other head of the family, such homestead may be selected to the value of five thousand dollars, and to the value of one thousand dollars by any other person. The declaration, properly acknowledged and recorded, is prior to all claims against the property which were not existing liens at the time the declaration of homestead was recorded. In addition thereto are the following exemptions from execution: 1st. Chairs, tables, desks, and books to the value of two hundred dollars. 2d. Necessary household furniture to the value of three hundred dollars, wearing apparel, paintings, drawings, pictures, etc., and provisions provided for individual or family use, sufficient for six months, two cows and two hogs with their increase. 3d. Farmer's utensils to the value of three hundred dollars, four horses, four oxen or four mules, with harnesses, cart or wagon, and food for the same for six months; waterright, not exceeding one hundred and sixty inches of water, for the irrigation of lands annually cultivated, and crop or crops growing or grown on fifty acres of land leased, owned, or possessed by claimant. 4th. Necessary tools or implements of a mechanic or artisan of the value of five hundred dollars; notary's seal and records; necessary instrument for use of surgeon, physician, surveyor, and dentist, with their libraries; professional libraries and office furniture of attorneys, counsellors, and judges; and the libraries of clergymen. 5th. Cabin or dwelling of a miner, of the value of five hundred dollars, also his sluices, pipes, hose, and other necessary tools and machinery of the value of two hundred dollars: one saddle horse, and one pack horse, together with their saddles and equipments, belonging to a miner actually engaged in prospecting, of the value of two hundred and fifty dollars. 6th. The team, wagon, or cart and harnesses of teamster or other laborer; a horse, harness and vehicle used by physician, surgeon, or clergyman, with food for all such animals for six months. 7th. Earnings of judgment debtor, if necessary for his family, for services rendered within the thirty days next proceeding levy of execution where his family is residing in the State. 8th. Shares held by a member of a homestead association, or building or loan association, duly incorporated under the laws of the State, where the person holding the shares is not the owner of the homestead, under the laws of the State. 9th. Life insurance in an amount represented by an annual premium not exceeding two hundred and fifty dollars. 10th. Engines, apparatus, and uniforms of a fire company or department organized under any law of the State, 11th. Arms, uniforms, and accoutrements required by law to be kept.

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ILLINOIS.

HOMESTEAD. (Hurd, 1067.) The farm or lot of land and buildings thereon of every householder having a family, occupied as a residence, to the extent in value of one thousand dollars is exempt. The exemption continues after the death of the householder to the surviving husband or wife so long as he or she occupies the homestead, and to the children until the youngest becomes twenty-one years of age. But such property is subject to taxes and debts incurred for its purchase or improvement. In case the premises are worth more than one thousand dollars, and can be divided without injury, a portion thereof, including the dwelling house, of the value of one thousand dollars, is set off, and the remainder is subject to execution and sale. If the premises cannot be divided the property is valued by appraisers, and the debtor may pay the surplus over one thousand dollars; otherwise the property may be sold, and the officer having the execution pays one thousand dollars to the debtor and the remainder is applied in satisfaction of the creditor's claim. Substantially the same thing can be done by a court of chancery in a proceeding to foreclose a lien. Insurance money in case of fire, is exempt to the same extent as the property insured. Upon a conveyance of the homestead the exemption continues to the grantee to the

same extent. The proceeds from such sale, not over one thousand dollars, are exempt for one year, and may be invested in another homestead. The homestead right of exemption by abandonment, may be extinguished by a conveyance by both husband and wife, properly acknowledged by abandonment, or, in case of right in children, by order of court of competent jurisdiction.

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PERSONAL PROPERTY.—The following personal property is exempt: 1st. The necessary wearing apparel, Bibles, school-books, and family pictures. 2d. One hundred dollars' worth of other property to be selected by the debtor, and in addition, when the debtor is the head of a family and resides with the same, three hundred dollars' worth of other property to be selected by the debtor, provided the exemption shall not be allowed from any money, salary, or wages due the debtor. When the head of a family dies, deserts, or does not live with the same, the exemption continues to the family. No personal property is exempt from process under a judgment for a debt for the wages of a laborer or servant. Exemptions cannot be claimed out of partnership property. (**37 Ill. App. 489; 38 Ill. App. 269.**) When a debtor desires to claim exemptions he must, within ten days after service of process and notice, schedule under oath all his personal property of every kind, including money in hand and debts due or owing him. Property not so scheduled is subject to process. Appraisers are then appointed by the officer having the writ, who place a fair value on each article. The debtor may select articles so appraised of a total value not exceeding the amount of the exemption allowed, the remainder being sold by the officer in satisfaction of the debt. Money or benefits received from life or accident insurance companies, organized under the Act of July 1, 1893, are exempt. (**Hurd, 1262.**) The wages of a wage earner, being the head of a family, and residing with the same, are exempt from garnishment to the amount of fifteen dollars per week. (**Hurd, 1152.**) It is made a misdemeanor to send a claim to another State for collection out of the earnings of the debtor by garnishment or other proceedings when the debtor is a resident and the creditor, debtor, and garnishee are all within the jurisdiction of the courts of Illinois, with intent to deprive the debtor of his rights under the exemption laws of this State; or to transfer for such purpose a claim against a citizen of Illinois. The penalty is not less than ten dollars nor more than fifty dollars. A non-resident, as to wages earned and payable outside of this State, is allowed here the same exemption he would be entitled to in the State of his residence. (**Hurd, 1155.**) Wages earned and payable outside of this State are exempt from attachment or garnishment, where the cause of action arose out of the State, unless the defendant in the attachment or garnishment suit is personally served with process. If the defendant be not served personally, the court or justice of the peace issuing the writ must dismiss the suit at the cost of the plaintiff. (**Hurd, 1155.**) The law of exemptions applies to cases of distress for rent, except as to crops growing on the premises. (**Hurd, 1343.**)

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KENTUCKY.

The following personal property shall be exempt from execution, attachment, distress, or fee bill against a person with a family residence in this State: two work beasts, or one work beast and one yoke of oxen, two plows and gear, one wagon and one set of gear, or cart or dray, three hoes, one spade, one shovel, two cows and calves; beds, bedding, and furniture sufficient for family use; one loom and spinning-wheel and pair of cards; all the spun yarn and manufactured cloth manufactured by the family, necessary for family use; carpeting for all family rooms in use; one cooking-stove and all cooking utensils, not to exceed twenty-five dollars in value; one table, all books, not to exceed fifty dollars in value, two saddles and their appendages; two bridles, six chairs, or so many as shall not exceed ten dollars in value, one cradle; all the poultry on hand; ten head of sheep, not to exceed two dollars and fifty cents in value for each sheep; all wearing apparel; sufficient provisions including bread-stuffs and animal food to sustain the family one year; provender suitable for live stock, if there is any live stock, not to exceed seventy dollars in value; if none, then other property not to exceed seventy dollars in value in lieu thereof; all washing apparatus not to exceed fifty dollars in value; one sewing-machine and all family portraits and pictures. And also on all debts and liabilities created after the first day of June, 1866, so much land, including the dwelling-house and appurtenances owned by a debtor who is a **bona fide** housekeeper with a family resident in Kentucky, and living on or claiming the land as a homestead, as shall not exceed in value one thousand dollars; and on all liabilities, the libraries of preachers, the professional libraries of lawyers, physicians, and surgeons, and their instruments, to the amount of five hundred dollars, and tools, not exceeding one hundred dollars in value, of a mechanic. Ninety per cent. of wages or salaries of persons earning seventy-five dollars per month or less is exempt, the remaining ten per cent, being subject to debts. As to persons earning more than seventy-five dollars per month the law exempts sixty-seven dollars and fifty cents per month and holds the balance subject to debts.

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LOUISIANA.

Homesteads are exempt from seizure. They consist of not exceeding one hundred and sixty acres of land, buildings, and appurtenances, whether rural or urban, bona fide occupied by the head of a family, or persons dependent upon him or her for support, and exist without registration. The homestead also includes certain farm implements and animals, together with a certain quantity of fodder, corn, etc. Homestead cannot exceed two thousand dollars in value. If so, the beneficiary shall be entitled to that amount only in case of a sale of the homestead under legal process. No husband shall have the benefit of a homestead whose wife owns or is in actual possession of property to the amount of two thousand dollars. The benefit of this exemption may be claimed by the surviving spouse or minor children of a deceased beneficiary. Laborer's wages,

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the clothes belonging to the debtor or his wife, his bed, the beds of his family, his arms and military accoutrements, the tools and instruments necessary for the exercise of the trade or profession by which he gains a living, the rights of personal servitude, use, and habitation, the usufruct to the estate of a minor child, the income of dotal property, the books and sewing-machine necessary for the exercise of one's calling, trade, or profession by which the owner makes a living, the salary of an officer, cooking-stove and utensils, plates, forks, etc., dining-table, chairs, wash-tubs, smoothing-irons and ironing furnaces, family portraits and musical instruments played on by any member of the family, are exempt from seizure. Whenever the widow or minor children of a deceased person are left in necessitous circumstances, they shall be entitled to demand and receive from the succession of their deceased husband or father a sum, which, added to the amount of property owned by them or either of them in their own right, will make up the sum of one thousand dollars, which shall be paid in preference to all other debts, except vendor's privilege and expenses incurred in selling the property.

MAINE.

The following **personal property** is exempt from attachment and levy: Wearing apparel, household furniture necessary for himself, wife, and children not exceeding one hundred dollars in value, and one bedstead, bed and bedding for each two members, family portraits, Bibles, school-books in actual use; copy of State statutes, library worth one hundred and fifty dollars, pew in use, one cooking and all iron-warming stoves, charcoal, twelve cords of wood at home for use; five tons of anthracite and fifty bushels of bituminous coal, ten dollars' worth of lumber, wood or bark, all produce till harvested, one barrel flour, thirty bushels of corn, grain, all potatoes raised or bought and necessary for debtor or his family, half an acre of flax and manufactures therefrom for use of himself or family, tools of trade, fifty dollars' worth of materials and stock procured and necessary for trade or business and intended to be used in same, sewing-machine worth one hundred dollars, one pair of working cattle, or one pair of horses or mules worth three hundred dollars, and hay to keep them through the winter, one harness worth twenty dollars for each horse or mule; a horse sled or ox sled, two swine, one cow, and a heifer under three years, or two cows if no oxen, horse, or mule, ten sheep with their wool and lambs until one year old, hay sufficient to keep them through the winter, fifty dollars' worth of domestic fowl, one plow, one cart or truck wagon or one express wagon, one harrow, one yoke with bows, ring, and staple, two chains, one ox sled, one mowing machine, one boat of two tons employed in fishing and owned exclusively by an inhabitant of the State, life and accident policies except excess of annual cash premiums for two years above one hundred and fifty dollars. Also two shares in loan and building associations, also the receipts of certain agricultural societies until their expenses, purses, and premiums are paid, provided the same are paid within three months from close of fair.

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REAL ESTATE.—Lot of land and buildings worth five hundred dollars, if owner files required certificate in registry of deeds, is exempt as a homestead from all attachments except for liens of mechanics and material men; also one cemetery lot.

MARYLAND.

In Maryland the sheriff cannot take in execution wearing apparel, mechanical text-books, or books of professional men, or mechanical or professional men's tools (except books and tools kept for sale). And, except under executions issued upon judgments for seduction or breach of promise of marriage, he must also leave one hundred dollars' worth of other property, to be selected by the defendant, or, if one hundred dollars' worth cannot be conveniently set aside, pay him one hundred dollars out of the proceeds of sale. Also money payable in the nature of insurance for accident, death, etc.

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MASSACHUSETTS.

The following exemptions of personal property are allowed: 1st. The necessary wearing apparel of the debtor and his wife and children, and household necessaries to a limited amount. 2d. Other household furniture necessary for him and his family, not exceeding three hundred dollars in value. 3d. The Bibles, school-books, and library used by him or his family, not exceeding fifty dollars in value. 4th. One cow, six sheep, one swine, and two tons of hay. 5th. The tools, implements, and fixtures necessary for carrying on his trade or business, not exceeding one hundred dollars in value. 6th. Materials and stock for carrying on his trade or business, and intended to be used or wrought therein, not exceeding one hundred dollars in value. 7th. The provisions necessary for the use of the family, not exceeding fifty dollars in value. 8th. One pew occupied by him or his family in a house of public worship; but this does not prevent the sale of a pew for the non-payment of a tax legally laid thereon. 9th. The boat, fishing tackle, and nets of fishermen, actually used by them in the prosecution of their business, to the value of one hundred dollars. 10th. The uniform of an officer or soldier in the militia, and the arms and accoutrements required by law to be kept by him. 11th. Rights of burial and tombs while in use as repositories for the dead. 12th. One sewing-machine, not exceeding one hundred dollars in value in actual use by the debtor or by his family. 13th. Shares in co-operative associations formed under the Revised Laws, ch. 110, not exceeding in value twenty dollars in the aggregate.

Every householder having a family is entitled to an estate or homestead to the value of eight hundred dollars exempt from levy on execution, if proper steps have been taken, by deed recorded in the registry of deed of the county where it is situated, to declare it a homestead.

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MICHIGAN.

The laws of this State exempt from sale on execution to every householder a homestead not exceeding forty acres of land and the house thereon, if in the country, or a house and lot in any city or village not exceeding in value fifteen hundred dollars. A married householder cannot sell or encumber such homestead without the consent of his wife.

Of personal property, the laws exempt from sale on execution various articles, such as seats in churches, cemeteries, tombs, and right of burial, all arms and accoutrements, and all wearing apparel of every person and his family, the library and school-books of every individual and family, not exceeding one hundred and fifty dollars, and all family pictures. To each householder, ten sheep and their fleeces, two cows, five swine, and provisions and fuel sufficient to keep such householder and family six months. To each householder all household goods, furniture, and utensils, not exceeding two hundred and fifty dollars in value. The tools, implements, material stock, apparatus, team (either one yoke of oxen, a horse or pair of horses, as the case may be), vehicle, horses harness, or other things to enable any person to carry on the profession, trade, occupation, or business in which he is wholly or principally engaged, not exceeding in value two hundred and fifty dollars, and also one sewing-machine; and a sufficient quantity of hay, grain, feed, etc., to keep the animals enumerated for six months. Only household goods, library, pictures, rights in cemeteries, and one cow and provisions, and fuel for one month, not exceeding five hundred dollars in value, are exempt from execution issued on judgment for labor. No lien can be created by mortgage or otherwise on any of the above property, except on profession, etc., without the consent of the wife, if he have one, by signing such mortgage or lien. [61]

If a person entitled to the benefit of a homestead shall die, his widow or minor children shall have the same benefit during the time they continue to occupy the same.

MINNESOTA.

Family Bible, family pictures, school-books or library, and musical instruments for use of family; seat or pew in any house or place of public worship; a lot in a burial ground; all wearing apparel of debtor and family, all beds, bedding, and bedsteads kept and used by debtor and used by debtor and his family; all stoves and appendages put up or kept for use of debtor and family; all cooking utensils, and all other household furniture not herein enumerated, not exceeding five hundred dollars in value.

As to debtors residing in this State only: Three cows; ten swine; one yoke of oxen and a horse, or in lieu thereof a span of horses or mules; twenty sheep and the wool from same; necessary food for such stock for one year, provided or growing, or both; one wagon, cart, or dray, one sleigh, two plows, one drag, and other farming utensils, including tackle for teams, not exceeding three hundred dollars in value; provisions for debtor and family for one year's support, provided or growing, or both, and one year's fuel; the tools and instruments of a mechanic, miner, or other person, used and kept for the purpose of carrying on his trade, and stock in trade not exceeding four hundred dollars; library and implements of a professional man; the presses, stones, type, cases, and other tools and implements used by any person or co-partnership, in printing or publishing a newspaper, not to exceed two thousand dollars in value, together with stock in trade not exceeding four hundred dollars in value; one watch, one sewing-machine, one bicycle, one typewriter; necessary seed for personal use of debtor for one season not exceeding one hundred bushels of wheat, one hundred bushels barley, one hundred bushels potatoes, one hundred bushels oats, one hundred bushels flax, and ten bushels corn, and binding material for use in harvesting crop raised from such seed; the library and apparatus of and used by any public college or school; moneys from insurance on exempt property; life insurance not exceeding ten thousand dollars payable to wife or child on life of deceased husband or father; moneys or benefits payable by a police or fire department, beneficiary, or fraternal benefit association, to any person entitled to assistance therefrom, or beneficiary under certificate thereof; wages not exceeding twenty-five dollars due from services rendered during thirty days preceding attachment, garnishment, or levy of execution; earnings of a minor child of debtor, by reason of liability of debtor not contracted for the special benefit of such minor; claim for damages, and judgment thereon by reason of levy on or sale under execution of exempt personal property or the wrongful taking or detention of such property. If within an incorporated place of less than five thousand inhabitants, one-half acre, of more than five thousand inhabitants, one-third acre. Surviving or deserted spouse and minor children are entitled to the exemption. As to debts created prior to March 1, 1906, exemption continues. [62]

MISSISSIPPI.

A homestead to every citizen of the State, male or female, being a householder and having a family, not to exceed two thousand dollars in value in country, or three thousand in town, nor one hundred and sixty acres in extent; this exemption is forfeitable, if the debtor cease to reside on the place, unless his removal be temporary.

The following property of each head of a family is also exempt: 1st. Two work-horses, or mules, and one yoke of oxen. 2d. Two heads of cows and calves. 3d. Ten hogs. 4th. Twenty sheep and goats each. 5th. All poultry. 6th. All colts under three years, raised in this State by debtors. 7th. Two hundred and fifty bushels of corn. 8th. Ten bushels of wheat or rice. 9th. Five hundred pounds of pork, bacon, or other meat. 10th. One hundred bushels of cottonseed. 11th. One wagon, and one buggy or cart, and one set of harness for each. 12th. Five hundred bundles of [63]

fodder and one thousand pounds of hay. 13th. Forty gallons of sorghum or molasses or cane syrup. 14th. one thousand stalks of sugar-cane. 15th. One molasses-mills and equipments, not exceeding one hundred and fifty dollars in value. 16th. Two bridles and one saddle, and one side-saddle. 17th. One sewing-machine. 18th. Household and kitchen furniture not exceeding in value two hundred dollars. 19th. All family portraits. 20th. One mower and rake. 21st. Wages to amount of fifty dollars per month.

The following property is also exempt to any person: 1st. The tools of a mechanic necessary for carrying on his trade. 2nd. Agricultural implements of a farmer necessary for two male laborers. 3d. The implements of a laborer necessary in his usual employment. 4th. The books of a student necessary for the completion of his education. 5th. Wearing apparel. 6th. Libraries and pictures of all persons not exceeding five hundred dollars in value. 7th. Instruments of surgeons and dentists, used in their professions, not exceeding two hundred and fifty dollars in value. 8th. The arms and accoutrements of each militiaman. 9th. All globes and maps used by teachers of schools, academies and colleges. 10th. The proceeds of insurance on, or the sale of, exempt property.

MISSOURI.

Certain animals, implements, and domestic furniture and wearing apparel, as specified by the statute, is exempt from execution and attachment when owned by the head of a family. Wearing apparel and the necessary tools and implements of trade of any mechanic, while carrying on his trade, are exempt from execution when owned by a person not the head of a family. Every householder or head of a family is entitled to have exempt from execution and attachment the homestead occupied by him, not exceeding in value three thousand dollars in cities of over forty thousand inhabitants, and not exceeding in quantity eighteen square rods of ground. In cities having less than forty thousand and not less than ten thousand inhabitants the homestead cannot exceed in value fifteen hundred dollars nor thirty square rods of ground; in cities having less than ten thousand inhabitants, five acres and not exceeding in value fifteen hundred dollars; and one hundred and sixty acres of land in the country, not exceeding in value fifteen hundred dollars.

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MONTANA.

Exemptions are as follows: All clothing of the debtor and family, and chairs, tables, desks, and books to the value of two hundred dollars; also all necessary household, table and kitchen furniture, of the judgment debtor, including one sewing-machine, stove, stove-pipe, and stove furniture heating apparatus, beds, bedding and bedsteads and provisions and fuel for individual or family use, sufficient for three months; one horse, saddle and bridle, two cows with their calves, four hogs, and fifty domestic fowl, and feed for such animals for three months; one clock, and all family pictures. In addition to the above, there is exempt to a farmer his farming utensils not exceeding six hundred dollars in value, two oxen, or two horses or mules and their harness, one cart or wagon, and food for such stock for three months; two hundred dollars' worth of seed, grain, or vegetables actually provided for the purpose of sowing or planting. The proper tools, instruments, or books of any mechanic, physician, dentist, lawyer, or clergyman, and office furniture. To a miner his dwelling and all his tools and machinery necessary for carrying on his avocation, not to exceed in value the aggregate sum of one thousand dollars, and also one horse or mule, and its harness, with its food for three months, in case such stock is used in working his mining claim. One horse, mule, or two oxen, vehicle and harness, by which the debtor habitually earns his living, and one horse with vehicle and harness, of physician or clergyman, used in making professional visits, with food for such stock for three months. All arms, uniforms, etc., required by law to be kept by any person. The wages of the debtor earned at any time within thirty days next preceding the levy, provided they are necessary for the use of his family, residing in the State, supported wholly or in part by his labor. All moneys growing out of life insurance. These exemptions are restricted to married persons or to persons who are the heads of families, and only the wearing apparel of an unmarried person is exempt to him. None but **bona fide residents** can claim the benefit of this law. A homestead not to exceed in value the sum of twenty-five hundred dollars, if agriculture land it is not to exceed one hundred and sixty acres. If within the limits of a town, plat, city, or village, not to exceed one-fourth of an acre. The debtor has his option of the two and may select either, with all improvements thereon, which are included in the valuation.

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NEBRASKA.

There is exempt from judicial sale to every family, whether owned by the husband or wife, a homestead, not exceeding in value two thousand dollars, consisting of dwelling-house in which claimant resides, and its appurtenances, and land on which same is situated not exceeding one hundred and sixty acres, or if within an incorporated city or village a quantity of contiguous land not exceeding two lots. Or in case debtor has no lands, there is exempt from execution five hundred dollars in personal property. If title to homestead is in wife it is exempt, and in such cases the head of the family is not entitled to exemption of five hundred dollars in personality. Nor is he if his title is simply a contract for sale. The clothing of the family, family supplies for six months, supplies for domestic animals for three months, furniture, family Bible and picture books, cooking utensils, certain domestic animals, tools, implements of trade, etc., are exempt; also sixty days wages to any laboring man, clerk, etc., who is the head of a family; provided that there is no exemption from attachment or execution for wages due to any clerk, laborer or mechanic. All pension money of United States soldiers and sailors, and property purchased and

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improved thereby, is exempt. The phrase "head of a family," as used in this chapter includes within its meaning: 1. The husband, when the claimant is a married person. 2d. Every person who has resided on the premises with him or her, and under his care and maintenance, either: 1st. His or her minor child, or the minor child of his or her deceased wife or husband. 2d. A minor brother or sister, or the minor child of a deceased brother or sister. 3d. A father, mother, grandfather, or grandmother. 4th. The father or mother, grandfather or grandmother of a deceased husband or wife. 5th. An unmarried sister, or any other of the relatives mentioned in this section who have attained the age of majority and are unable to take care of or support themselves.

NEVADA.

The following property is exempt from execution except upon a judgment for the purchase-money or upon a mortgage thereon: Chairs, tables, desks, and books to the value of one hundred dollars; necessary household and kitchen furniture, wearing apparel, etc., and provisions and fire-wood actually provided sufficient for one month, farming utensils, or implements of husbandry, and seed provided for planting within the ensuing six months, not exceeding in value two hundred dollars; two horses, two oxen, or two mules, and two cows and food for one month for such animals, and one cart or wagon; the tools of a mechanic necessary to his trade; the instruments and libraries of a surgeon, physician, surveyor, or dentist; the professional library of an attorney and counsellor, or minister of the gospel; the dwelling of a miner not exceeding in value five hundred dollars, also his tools and appliances necessary to carry on his mining operations, not exceeding in value five hundred dollars; and two horses, two oxen, or two mules, and their harness and one cart or wagon, by the use of which a teamster or laborer habitually earns his living; one horse harness, and vehicle, of a physician or surgeon, or minister of the gospel, and food for such animal for one month. For every livery stable keeper, two horses or mules, with vehicle and harness, provided the whole shall not exceed in value five hundred dollars; one sewing-machine in actual use in the debtor's family, not exceeding in value one hundred and fifty dollars; all fire engines and property of fire companies; all arms, etc., required by law to be kept by any person; a homestead to be selected by the husband or wife, or other head of a family, not exceeding in value five thousand dollars; the earnings of the debtor not exceeding fifty dollars for his personal services for the calendar month during, or immediately preceding, that in which process has been issued, where such earnings are necessary for the use of a family supported wholly or partly by the labor of the debtor.

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NEW HAMPSHIRE.

The following goods and property are exempt from attachment, and from liability to be taken upon execution: Necessary wearing apparel of the debtor and his family; household furniture to the value of one hundred dollars; one cooking-stove and its furniture; one sewing-machine; Bibles and school books in actual use; library to the value of two hundred dollars; one cow, six sheep and their fleeces, one hog, one pig, and the pork of same when slaughtered; domestic fowls, not exceeding in value fifty dollars; four tons of hay; provisions and fuel to the value of fifty dollars; tools of his occupation to the value of one hundred dollars; beasts of the plow, not exceeding a yoke of oxen or a horse; the uniform, arms, and equipments of every officer or private in the militia; the debtor's interest in one pew in any meeting house, and in one lot in any cemetery. Damages recovered for conversion of property exempt are also exempt. The wife, widow, and children of any person who is the owner of a homestead, or any interest therein, are entitled to so much thereof as does not exceed in value five hundred dollars as against creditors, grantees, or heirs of such person during the life of the wife or widow and minority of the children. A homestead of the value of five hundred dollars is also exempt to an unmarried person owning the same. (P. S. ch. 138.)

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NEW JERSEY.

All goods and chattels, not exceeding in value the sum of two hundred dollars exclusive of wearing apparel, and all wearing apparel the property of any debtor having a family residing in this State, are exempt from seizure by virtue of execution or other civil process except for the purchase money. (Gen. Statutes, p. 1421.) In addition thereto, by conforming to the provisions of the homestead exemption act, the lot and buildings thereon occupied as a residence and owned by the debtor, being a householder and having a family, to the value of one thousand dollars, may be exempted from sale or execution for debt. (Gen. Statutes, pp. 2297-2298.)

NEW MEXICO.

Every person who has a family may hold the following property exempt from execution, attachment, or sale: The wearing apparel of such person or family; the beds, bedsteads, and bedding necessary for the use of the same; one cooking-stove and pipe; one stove and pipe used for warming the dwelling; fuel sufficient for sixty days; one cow, or if the debtor owns no cow, household furniture not exceeding forty dollars in value; two swine or the pork therefrom, or, if the debtor owns no swine, household furniture not exceeding fifteen dollars in value; six sheep, the wool shorn from them and the cloth or other articles manufactured therefrom, or, in lieu thereof, household furniture not exceeding twenty dollars in value; sufficient food for such animals for sixty days; Bibles, hymn-books, psalm-books, testaments, school and miscellaneous books used in the family, and all family pictures; provisions provided and designed for the use of such person or family; not exceeding fifty dollars in value; and such other articles of household

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and kitchen furniture, or either, necessary for such person or family, not exceeding two hundred dollars in value; one sewing-machine, one knitting-machine, one gun or pistol, and the tools or implements of debtor necessary for carrying on his trade or business, not exceeding one hundred and fifty dollars in value; the personal earnings of debtor for sixty days next preceding his application for such exemption, when necessary for the support of such debtor or his family; all articles, specimens in cabinets of natural history or science, except such as may be intended for exhibition for pecuniary gain; if engaged in agriculture; two horses or one yoke of cattle, with the necessary gearing for the same, and one wagon; if a doctor, one horse, one saddle and bridle, professional books, medicines and instruments not exceeding one hundred dollars in value; if a lawyer professional books not exceeding five hundred dollars in value; every person engaged in the business of draying, or carrying property from place to place with one horse and wagon, shall hold one horse, harness, dray, or wagon also exempt from execution. Every unmarried woman may hold exempt from execution, etc., wearing apparel not exceeding in value one hundred and fifty dollars; one sewing-machine, one knitting-machine; if engaged in teaching music, one piano or organ; a Bible, hymn-book, psalm-book, album, and any other books not exceeding in value fifty dollar; any beneficiary fund, not exceeding five thousand dollars, set apart or paid by any benevolent association to a family of a deceased member, or to any member of such family, shall not be liable for the debts of such deceased member. Husband and wife, widow or widower, living with an unmarried daughter, or unmarried minor son, may hold exempt from sale or judgment of a family homestead not exceeding one thousand dollars in value. Any head of a family not the owner of a homestead may hold exempt from levy and sale real or personal property not exceeding five hundred dollars in value in addition to the chattel property otherwise by law exempted.

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NEW YORK.

Necessary household furniture, working tools and team, professional instruments, furniture and library (not exceeding in value two hundred and fifty dollars); groceries actually provided for family use, and ninety days necessary food for team, in addition to certain other specified articles, when owned by householder, are exempt from levy and sale under execution. A private burying-ground not exceeding one-quarter of an acre, is also exempt. Insurance money, etc., paid or to be paid to a member, or the widow of a member of a life or casualty corporation doing business upon the co-operative or assessment plan, cannot be reached for any debt or liability incurred before such money, etc., was paid. The lot and buildings, not exceeding one thousand dollars in value, owned and occupied by a householder having a family are exempted, if designated and recorded as homestead property in the office of the clerk of the county where it is situated. Such exemption continues after the owner's death for the benefit of the widow and family, so long as any of them continue to occupy such homestead, until the death of the widow and the majority of the youngest child. A married woman is entitled to the same homestead as a householder having a family.

NORTH CAROLINA.

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Personal property to the value of five hundred dollars, to be selected by any resident of the State, is exempt from execution; and also a homestead, and the dwelling and building, not exceeding one thousand dollars, to be selected by the owner thereof; or, in lieu thereof, any lot in a city, town, or village, with the dwelling and buildings used thereon, owned and occupied by any resident of the State, not exceeding the value of one thousand dollars.

NORTH DAKOTA.

The following property is absolutely exempt to the head of a family from attachment or mesne process, and from levy and sale on execution, and from any other final process issued from any court: All family pictures; a pew or other sitting in any house of worship; a lot or lots in any burial-ground; the family Bible, and all school books used by the family, and other books used as a part of the family library, not exceeding in value one hundred dollars; all wearing apparel of the debtor and his family; the provisions for the debtor and his family necessary for one year's supply either provided or growing, or both, and fuel necessary for one year; the homestead, as defined, created, and limited by law. In addition to the above mentioned property, the head of a family may, by himself or his agent, select from all other of his personal property, not absolutely exempt, goods, chattels, merchandise, money, or other personal property, not to exceed in the aggregate one thousand dollars in value, which is also exempt. The library and instruments of any professional person, not exceeding six hundred dollars in value.

OHIO.

Every unmarried woman may hold the following property exempt from execution, attachment, or sale, to satisfy any judgment, decree, or debt, to wit: 1st. Wearing apparel, not exceeding one hundred dollars in value. 2d. One sewing-machine. 3d. One knitting-machine. 4th. Bible, etc., and other books not exceeding in value twenty-five dollars. Every person who has a family, and every widow, can hold exempt from execution, attachment, or sale from any debt, damage, fine, or amercment: 1st. Wearing apparel of such person or family necessary beds, etc., two stoves, and fuel for sixty days. 2d. Certain domestic animals, and their feed for sixty days, or, in lieu of such as the debtor has not, household furniture of equal value, amounting, in the aggregate to sixty-five dollars. 3d. Family books and pictures. 4th. Provisions to the amount of fifty dollars, and other necessary household furniture to the amount of fifty dollars. 5th. One sewing-machine, one

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knitting-machine, the tools and implements of debtor necessary for carrying on his or her trade or business, whether mechanical or agricultural, to the amount of one hundred dollars 6th. The personal earnings of debtor or minor child for three months previous to the issuing of the attachment or rendition of judgment, when necessary for support of debtor or his or her family. 7th. All animal, vegetable, or mineral specimens of natural history or science not kept for pecuniary gain. In addition to the above, the debtor, if a drayman, can hold one horse, harness, and dray; if a farmer one horse or one yoke of cattle, with necessary gearing for same, and one wagon; if a physician, one horse, one saddle and bridle, and professional books, medicine and instruments, not exceeding one hundred dollars in value. Husband and wife living together, a widower living with an unmarried daughter or minor son, every widow, and every unmarried female having in good faith the care, maintenance and custody, of any minor child or children of a deceased relation, residents of Ohio, and not the owner of a homestead, may hold other real or personal property, to be selected by such person, his agent or attorney, not exceeding five hundred dollars in value, in addition to the amount of chattel property otherwise by law exempted, provided that such selection shall not be made as to wages due to the extent of more than ninety per cent, of such wages as against claims for necessaries.

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A homestead, not exceeding one thousand dollars in value, which shall remain exempt from sale on execution and exempt from sale under any order of the court so long as the widow, if she remain unmarried, or any unmarried minor child, resides thereon. Husband and wife living together, a widow or widower living with an unmarried daughter or unmarried minor son, may hold exempt a family homestead not exceeding one thousand dollars in value.

OKLAHOMA.

The exemptions of the head of a family residing in the State are: 1st. The homestead of the family. 2d. All household and kitchen furniture. 3d. Any lot or lots in a cemetery held for the purpose of sepulture. 4th. All implements of husbandry used upon the farm. 5th. All tools, apparatus and books belonging to and used in any trade or profession. 6th. The family library and all family portraits and pictures and wearing apparel. 7th. Five milk cows and their calves under six months old. 8th. One yoke of work oxen, with necessary yokes and chains. 9th. Two horses or two mules, and one wagon, cart, or dray. 10th. One carriage or buggy, 11th. One gun. 12th. Ten hogs. 13th. Twenty head of sheep. 14th. All saddles, bridles, and harness necessary for the use of the family. 15th. All provisions and forage on hand and growing for home consumption, and for use of exempt stock for one year. 16th. All current wages and earnings for personal or professional services earned within the last ninety days.

The homestead of any family in the State within any city, town, or village consists of not exceeding an acre of land to be selected by owner, owned and occupied as a residence only, but not exceeding in value five thousand dollars, but in no event shall the homestead be reduced to less than a quarter of an acre regardless of value. If the homestead is used for both residence and business purposes, the homestead interest shall not exceed in value five thousand dollars, and nothing in the laws of the United States or treaties with Indian tribes deprives an Indian or other allottee of the benefit of the homestead and exemption laws of the State.

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The exemptions reserved to a person not the head of a family are as follows: 1st. A lot or lots in a cemetery held for the purpose of sepulture. 2d. All wearing apparel. 3d. All tools, apparatus and books belonging to any trade or profession. 4th. One horse, bridle, and saddle, or one yoke of oxen. 5th. Current wages for personal services.

OREGON.

The following property shall be exempt from execution, if selected and reserved by the judgment debtor or his agent at the time of levy, or as soon thereafter before sale as the same shall be known to him, and not otherwise. Books, pictures and musical instruments owned by any person, to the value of seventy-five dollars; necessary wearing apparel owned by any person, to the value of one hundred dollars, and, if such person be a householder, to each member of his family to the value of fifty dollars; the tools, implements, apparatus, team, vehicle, harness, or library necessary to enable any person to carry on the trade, occupation, or profession by which such person habitually earns his living, to the value of four hundred dollars; also sufficient quantity of food to support such team, if any, for sixty days. The word "team," in this subdivision, shall not be construed to mean more than one yoke of oxen, or pair of horses or mules, as the case may be. Homesteads the actual abode of, and owned by, a family or some member thereof are exempt from execution.

The following property (is exempt), if owned by a householder and in actual use, by and for his family, or when being removed from one habitation to another on a change of residence: Ten sheep, with one year's fleece, or the yarn or cloth manufactured there from, two cows, and five swine, household goods, furniture, and utensils, to the value of three hundred dollars; also, food sufficient to support such animals if any, for three months, and provisions actually provided for family use, and necessary for the support of such householder and family for six months; the seat or pew occupied by a householder, or his family, in a place of public worship; burial lots. Earnings or wages to the extent of seventy-five dollars in thirty days, are exempt if necessary to support family. One gun and one revolver exempt to every white male citizen over sixteen years of age.

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PENNSYLVANIA.

The law exempts from execution property, either real or personal, to the amount of three hundred dollars, in addition to wearing apparel, Bibles, and school books, if claimed by the debtor; the privilege is personal and may be waived at any time. The widow or children of any decedent are entitled to the same amount from his estate for her or their use. All sewing-machines belonging to private families are exempt. Non-residents of the State are not entitled to the exemption laws.

RHODE ISLAND.

The following are exempt from attachment and execution: The necessary wearing apparel of a debtor and his family, his necessary working tools, not exceeding two hundred dollars in value; and the professional library of any professional man in actual practice; his household furniture and family stores, if a housekeeper, not exceeding three hundred dollars in value; one cow and one and one-half tons of hay, of a housekeeper; one hog and one pig, and the pork of the same, of a housekeeper; arms, equipments, etc., of a militiaman, and of any person which are kept for use and not for sale; one pew in church; a burial lot; wages due or accruing to any seaman; debts secured by bills of exchange or negotiable promissory notes: and ten dollars due as the wages of labor except when action is for necessaries furnished to defendant; the salary and wages of the wife and minor children of any debtor; and such other property, real or personal, as is or shall be exempt from attachment and execution, either permanently or temporarily, by general or special acts, charters of incorporation, or by the policy of the law.

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SOUTH CAROLINA.

Homesteads in lands, whether held in fee or any lesser estate, to the value of one thousand dollars, or so much thereof as the property is worth if its value is less than one thousand dollars, with the yearly products thereof, and to every head of a family residing in this State, whether entitled to a homestead exemption in lands or not, personal property to the value of five hundred dollars, or so much thereof as the property is worth if its value is less than five hundred dollars.

SOUTH DAKOTA.

The following property is absolutely exempt from attachment or mesne process, and from levy and sale on execution, and from any other final process issued by any court: All family pictures; a pew or other sitting in any house of worship; a lot or lots in any burial ground; the family Bible, and all school books used by the family, and all other books used as a part of the family library not exceeding in value two hundred dollars; all wearing apparel of the debtor and his family; the provisions for the debtor and his family necessary for one year's supply, either provided or growing, or both, and fuel necessary for one year; the homestead as defined, created, and limited by law. In addition to the above-mentioned property, the debtor, if the head of a family, may, by himself or his agent, select from all other of his personal property, not to exceed in the aggregate seven hundred and fifty dollars in value, and if a single person, not the head of a family, three hundred dollars in value, which is also exempt.

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Instead of the seven hundred and fifty dollars exemption, the debtor, if the head of a family, may select and choose the following property, which shall be exempt, namely: All miscellaneous books and musical instruments for the use of the family, not exceeding two hundred dollars in value; all household and kitchen furniture, including beds, bedsteads and bedding, used by the debtor and his family, not exceeding two hundred dollars in value; and in case the debtor shall own more than two hundred dollars' worth of such property, he must select therefrom such articles to the value of two hundred dollars, leaving the remainder subject to legal process; two cows, five swine, two yokes of oxen or one span of horses or mules, twenty-five sheep and their lambs under six months old, and all wool of the same, and all cloth or yarn manufactured therefrom, the necessary food for the animals hereinbefore mentioned for one year, either provided or growing or both, as the debtor may choose; also one wagon, one sleigh, two plows, one harrow, and farming machinery and utensils, including tackle for team, not exceeding twelve hundred and fifty dollars in value; the tools and implements of any mechanic, whether a minor or of age, used and kept for the purpose of carrying on his trade or business, and, in addition thereto, stock in trade not exceeding two hundred dollars in value; the avails of life insurance policies issued payable to the order, assignees, or estate of the insured, and not assigned, are to the extent of five thousand dollars, absolutely exempt to the surviving husband, or wife or minor children of the insured, free from all claim of creditors of the insured.

The homestead of the head of every family resident in this State, whether owned by the husband or wife, so long as it remains a homestead, is absolutely exempt, except for taxes and debts contracted for the purchase thereof. If within a town plat it must not exceed one acre in extent, and if not within a town plat it must not embrace in the aggregate more than one hundred and sixty acres, with the house and buildings appurtenant thereon; and is limited to five thousand dollars in value. (C. C. P. Sec. 345.) If the homestead is claimed upon land, the title or right of possession to which was acquired or is claimed under the laws of the United States relating to mineral lands, the area of the homestead, if within a town plat, must not exceed one acre, and if without a town plat, must not exceed forty acres. If the title to the homestead has been acquired as a placer claim but has been acquired under the laws of Congress as a lode mining claim, the area of the homestead must not exceed forty acres. (L. 1909, ch. 136.) Such exemption continues after the debtor's death, for the benefit of the surviving husband or wife and children; and if both husband and wife be dead, until the youngest child becomes of age. (Prob. C. Sec. 153.) It is very doubtful, however, in view of the provisions of the State Constitution, if the title of the homestead

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can be in the wife, unless the husband is for some reason incapacitated.

TENNESSEE.

Thirty-six dollars of the wages, salary, or income of any person drawing forty dollars or less per month shall be exempt from legal process at date of service of process.

Household goods and provisions are exempt. The list includes practically every article to be found in the average home. The liberality of the law may be judged from the fact that one hundred gallons of sorghum molasses and twenty pounds of coffee are listed. The list ends with: twenty bushels of peanuts, three strings of red peppers, two gourds, two punger gourds, a carpet in actual use by the family, not exceeding in value twenty-five dollars, and two hundred bushels of cotton seed. [79]

If the head of the family is engaged in agriculture there is further exempt in his hands the following property: Two plows, two hoes, one grubbing hoe, one cutting knife, one harvest cradle, one set of plow gears, one pitch-fork, one rake, three iron wedges, five head of sheep, and ten head of stock hogs. There is exempt in the hands of each mechanic in the State who is engaged in the pursuit of his trade or occupation one set of mechanic's tools, such as are usual and necessary to the pursuit of his trade; and, if he is the head of a family, two hundred dollars' worth of lumber or material, or products of his labor; also one gun in the hands of every male citizen of the age of eighteen years and upward, and every female who is the head of a family; to the heads of families fifty pounds of picked cotton and twenty-five pounds of wool, and a sufficient quantity of upper and sole leather to provide winter shoes for the family; also, three hundred pounds of tobacco in the hands of the actual producer; also thirty-five dollars' worth of roughness, to consist of oats, fodder, and hay, or either of them.

A homestead or real estate in the possession of or belonging to each head of a family, and the improvements thereon, to the value in all of one thousand dollars, shall be exempt from sale under legal process during the life of such head of a family, and shall inure to the benefit of his widow and be exempt from sale in any way at the instance of any creditor or creditors during the minority of the children occupying the same and until the youngest child reaches the age of twenty-one years.

TEXAS.

The Constitution of 1875 provides that a homestead of a family not in a town or city consisting of not more than two hundred acres of land, which may be in one or more parcels, with the improvements thereon, or, if in a town or city, lot or lots, not exceeding in value five thousand dollars at the time of designation, without reference to the value of the improvements thereon is exempt, provided the same shall be used for the purpose of a home, or as place to exercise the calling or business of the head of the family. [80]

There is also exempted to every family, free from forced sale for debts; all household and kitchen furniture; any lot or lots for sepulture in a cemetery; all instruments of husbandry; all tools and apparatus belonging to any trade or profession, and all books belonging to private or public libraries, and family portraits and pictures, five milk cows and calves, two yoke of work oxen, two horses and one wagon, one carriage or buggy, one gun, twenty hogs, twenty head of sheep, all provisions and forage on hand for home consumption, all bridles, saddles, and harness necessary for the use of the family; and to every citizen not a head of a family, one horse, bridle, and saddle; all wearing apparel, any lot or lots for sepulture in a cemetery; all tools, apparatus, and books belonging to his trade, profession, or private library. Current wages for personal services are not subject to garnishment.

UTAH.

The following property is exempt from execution, except on a judgment for the purchase price, or on a judgment of a foreclosure of a mortgage, or a mechanic's or laborer's lien thereon, or from sale for taxes, to wit: 1st. Chairs, tables, and desks of the value of two hundred dollars, and the library belonging to the judgment debtor, also musical instruments in actual use in the family. 2d. Necessary household, table, and kitchen furniture of the value of three hundred dollars, one sewing-machine, family hanging pictures, oil paintings and drawings, portraits and their necessary frames, provisions on hand for three months, two cows and their sucking calves, and two hogs and all sucking pigs, all wearing apparel, and beds and bedding, and all carpets in use. 3d. A farmer may hold farming implements to the value of three hundred dollars, two oxen, horses or mules, and their harness; a cart or wagon; seed, grain or vegetable, for planting or sowing within six months, not exceeding in value two hundred dollars and crops and the proceeds thereof not exceeding two hundred dollars. 4th. Necessary tools, tool chest, and implements of a mechanic or artisan, not exceeding in value five hundred dollars; the seal and records of a notary public; the instruments and chests of a surgeon, physician, surveyor, and dentist, with their libraries, and the law libraries and office furniture of attorneys and judges, and libraries of ministers, and typewriters of reporters and copyist, the type, presses, and material of a printer or publisher, not exceeding five hundred dollars. 5th. The cabin of a miner not exceeding five hundred dollars in value, also his tools and appliances, not exceeding in value five hundred dollars. 6th. Two oxen, or horses or mules and harness, and cart or wagon, or dray or truck, by which a cartman, drayman, huckster, teamster, or other laborer habitually earns his living; and one horse, harness, and vehicle of a physician, surgeon, or minister. 7th. One-half of the earnings [81]

of the judgment debtor for personal services rendered within thirty days preceding the levy if debtor is married or is head of a family residing in Utah and dependent upon such earnings for support. If his earnings are two dollars per day or less, a married man or head of a family is entitled to an absolute exemption of thirty dollars per month. Costs cannot be taxed in any proceeding to obtain levy upon moneys of judgments debtor earned within thirty days next preceding levy. 8th. All moneys, benefits, privileges, or immunities accruing in any manner from a life insurance on a debtor's life, when the annual premiums do not exceed five hundred dollars. 9th. All arms, ammunition, uniforms, and accoutrements required by law to be kept. 10th. To a head of a family homestead, to be selected by the debtor. A homestead consisting of lands and appurtenances (which lands may be in one or more localities), not exceeding fifteen hundred dollars in value for the head of the family and five hundred dollars additional for his wife, and two hundred and fifty dollars for each other member of his family, shall be exempt from judgment lien and from execution or forced sale, for mechanics' or laborers' lien thereon, lawful mortgage thereon, or lien for purchase. The statute provides that the homestead exemption may be claimed by either the husband or the wife, and defines the terms "head of the family" and "members of the family." In case of sale the money received by the judgment debtor for value of his exemption is also exempt, and so, too, is insurance money when fire occurs (to the extent of the exemption).

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VERMONT.

The law exempts a homestead from attachment or levy of execution to the amount of five hundred dollars; also (unless turned out to the officer by the debtor, to be taken on the attachment in execution) such suitable apparel, bedding, tools, arms, and articles of household furniture as may be necessary for upholding life, one sewing-machine kept for use, one cow, the best swine, or the meat of one swine, sheep not exceeding in number ten, and one year's product of said sheep in wool yarn, or cloth, forage sufficient for keeping not exceeding ten sheep and one cow through one winter, ten cords of firewood or five tons of coal, twenty bushels of potatoes, all growing crops, ten bushels of grain, one barrel of flour, three swarms of bees and hives, together with their produce in honey, two hundred pounds of sugar, and all lettered gravestones, the Bibles and other books used in a family, one pew or slip in a meeting-house or place of religious worship, live poultry not exceeding in value the sum of ten dollars, the professional books and instruments of physicians, and the professional books of clergymen and attorneys at law, to the value of two hundred dollars; and also one yoke of oxen or steers, as the debtor may select, two horses kept and used for team-work, and such as the debtor may select in lieu of oxen or steers, but not exceeding in value the sum of two hundred dollars, with sufficient forages for keeping the same through the winter; also the pistols, side arms, and equipments personally used by any soldier in the service of the United States and kept by him or his heirs as mementoes of his service, also one two-horse wagon with whiffle-trees and neck-yoke; or one ox-cart, as the debtor may choose; one sled or one set of traverse sleds, either for horses or oxen, as the debtor may select; two harnesses, two halters, two chains, one plow, and one ox-yoke, which with the oxen or steers or horses which the debtor may select for team work, shall not exceed in value two hundred and fifty dollars; also one tool chest kept for use by a mechanic.

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A housekeeper or head of a family has a homestead exemption from attachment or execution in a dwelling-house and lands appurtenant, used or kept as a homestead, to the value of five hundred dollars.

VIRGINIA.

The exemption laws are very liberal. A householder residing in this State may hold exempt from levy or distress the family Bible, family pictures, school-books, and library for the use of the family, not exceeding in all one hundred dollars in value; a seat or pew in any house or place of public worship; a lot in a burial ground; all necessary wearing apparel of the debtor and his family; all beds, bedsteads and bedding necessary for the use of such family, and all stoves and appendages put up for the necessary use of the family, not exceeding three; one cow and her calf till one year old, one horse, six chairs, one table, six knives, six forks, six plates, one dozen spoons, two dishes, two basins, one pot, one oven, six pieces of wooden or earthen ware, one loom and its appurtenances, one safe or press, one spinning-wheel, one pair of cards, one axe, two hoes, ten barrels of corn, or in lieu thereof twenty-five bushels of rye or buckwheat, five bushels of wheat or one barrel of flour, two hundred pounds of bacon or pork, three hogs, ten dollars in value of forage or hay, one cooking-stove and utensils for cooking therewith, and one sewing-machine; and, in the case of a mechanic, the tools and utensils of his trade, not exceeding one hundred dollars in value; and in case of an oysterman or fisherman, his boat and tackle, not exceeding two hundred dollars in value, the same shall be sold, and out of the proceeds the oysterman or fisherman shall first receive two hundred dollars in lieu of such boat and tackle; and if the householder is at the time actually engaged in the business of agriculture, there shall also be exempt from such levy or distress, while he is so engaged, to be selected by him or his agent, the following articles, or so many there he may have, to wit: one yoke of oxen, or a pair of horses or mules in lieu thereof (unless he selects or has selected a horse or mule under the preceding section, in which case he shall be entitled to select under this section only one), with the necessary gearings, one wagon or cart, two plows, one drag, one harvest cradle, one pitchfork, one rake, and two iron wedges; wages, owing to a laboring man being a householder, not exceeding fifty dollars per month, shall also be exempt from distress, levy, or garnishment. These embrace what is known as the Poor Debtor's Exemption. (**Code, ch. 178.**)

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The Homestead Exemption is as follows: Every householder residing in this State shall, in

addition to the property or estate to hold exempt from levy, distress, or garnishment, under ch. 178, be entitled to exempt from levy, seizure, garnishment, or sale under any execution, order, or process issued on any demand for any debt or liability on contract, his real and personal estate, or either, to be selected by him, including money and debts due him, to the value of not exceeding two thousand dollars.

WEST VIRGINIA.

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Any husband or parent residing in this State, or the widow or infant children of deceased parents, may set apart his personal estate, not exceeding two hundred dollars in value, to be exempt from execution or other process. He or they may also hold a homestead of the value of one thousand dollars (provided the homestead is recorded among the public land records of the county wherein it is situate, before the debt against which it is claimed is contracted), as against debts created since. Any resident mechanic, artisan, or laborer, whether a husband or parent or not, may hold the working tools of his trade or occupation to the value of fifty dollars exempt, provided that in no case shall the exemption allowed any one person exceed two hundred dollars.

WASHINGTON.

All real and personal estate belonging to a married woman at the time of her marriage, and all she subsequently acquires or becomes entitled to in her own right, and all her personal earnings, and rents and profits of such real estate, shall not be liable for her husband's debts so long as she or any minor heir of her body is living, but her separate property is liable for debts owing by her at the time of her marriage.

To a householder, being the head of a family, a homestead of the value of two thousand dollars while occupied by such family, wearing apparel, private libraries (not to exceed five hundred dollars in value), family pictures, and keepsakes. To each householder one bed and bedding and one additional bed and bedding for each additional member of the family, and other household goods of the coin value of five hundred dollars. Provisions and fuel for family for six months. Two cows with their calves, five swine, two stands of bees, thirty-six domestic fowls and feed for six months. To a farmer one span of horses and harness, or two yokes of oxen, and one wagon, with farming utensils not exceeding five hundred dollars in coin value, one hundred and fifty bushels of wheat, one hundred and fifty bushels of oats or barley, fifty bushels of potatoes, ten bushels of corn, and ten bushels of peas, and ten bushels of corn, ten bushels of peas and ten bushels of onions for seeding purposes. To a mechanic, the tools used to carry on his trade for the support of himself and family, also material of the value of five hundred dollars. To a physician, his library, not exceeding five hundred dollars in value, horse and carriage, instruments and medicines not exceeding two hundred dollars in coin. To attorneys and clergymen, their libraries, not exceeding in value of one thousand dollars, also office furniture, stationery and fuel not exceeding in value two hundred dollars. All firearms kept for use and a canoe, skiff, or small boat, not exceeding in value two hundred and fifty dollars. To a person engaged in lightering, one or more lighters or scows and a small boat, not exceeding the aggregate value of two hundred and fifty dollars. To a drayman, his team. To a person engaged in logging, three yokes of work oxen, and implements of the value of three hundred dollars. Proceeds or avails of all life and accident insurance shall be exempt from all liability for any debt. To any person whose exempt property is insured, and destroyed by fire, the insurance money coming to or belonging to the person thus insured to an amount equal to the exempt property thus destroyed. Burial lot exempt. Pension money exempt, but exemption may be waived.

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WISCONSIN.

The following personal property is exempt from seizure or sale on any execution and from attachment or garnishment: 1st. The family Bible. 2d. Family pictures and school-books. 3d. The library of the debtor. 4th. The seat or pew in any place of public worship. 5th. All wearing apparel of the debtor and his family; all stoves and appendages kept for the use of the debtor and his family; all cooking utensils and all other household furniture not exceeding two hundred dollars in value, and one gun, rifle, or other firearm not exceeding fifty dollars in value. 6th. Two cows, ten swine, one yoke of oxen, and one horse or mule, or, in lieu of one yoke of oxen and horse or mule, two horses or two mules, ten sheep and the wool from the same, either in the raw material or manufactured into yarn or cloth; the necessary food for one year's support for all such stock, also one wagon, cart, or dray, one sleigh, one plow, one drag, and other farming utensils, including a tackle for teams, not exceeding two hundred dollars in value. 7th. The provisions for the debtor and his family necessary for one year's support, and fuel necessary for one year. 8th. The tools, implements, and stock in trade of any mechanic, miner, merchant, trader, or other person, used or kept for the purpose of carrying on his trade or business, not exceeding two hundred dollars in value. 9th. All sewing-machines owned by individuals and kept for the use of themselves or family. 10th. Any sword, plate, books, or other article presented or given to any person by congress, legislature of any of the United States, or by either body of congress or of such legislature, whether presented by vote or raised by subscription of the members of either of the aforesaid bodies, 11th. Printing material and press or presses used in the business of any printer or publisher, to an amount not exceeding fifteen hundred dollars in value, provided no sum exceeding four hundred dollars shall be exempt from payment of employees. 12th. Horses, arms, equipment, and uniforms of all officers, non-commissioned officers, and privates used for military purposes in the organized militia of the State. 13th. All books, maps, plates, and other papers kept or used by any person for the purpose of making abstracts of title to land. 14th. The

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interests owned by any inventor in any invention secured to him by letters patent of the United States. 15th. The earnings of all married persons and other persons having a family dependant upon them for support, for three months next preceding the issue of an attachment, execution, or garnishment, to the amount of sixty dollars only for each month. Such exemption shall not exceed one hundred and eighty dollars in all for the three months. 16th. All fire-engines, apparatus, and equipments, used or to be used for the protection of property from fire. 17th. All moneys arising from insurance of any exempt property when such property has been destroyed by fire. 19th. All money arising on any policy of insurance on the life of a minor, payable to his father or mother, or both, shall be exempt against the creditors of such father or mother, but not against the creditors of such minor. Certain other life insurance moneys are also exempt. 20th. All cemetery lots owned by individuals and all monuments therein, the coffins and other articles for the burial of any dead person, and the tombstone or monuments for his grave, by whomsoever purchased. 21st. Pensions paid policemen, firemen, their widows or minor children. 22d. Shares of the value of one thousand dollars at time of withdrawal in a local building and loan association held by one not owning a homestead which is exempt. A homestead to be selected by the owner, consisting, when not included in any city or village, of any quantity of land not exceeding forty acres, used for agricultural purposes, and when included in any city or village, of any quantity of land not exceeding one-fourth of an acre and the dwelling-house thereon and its appurtenances owned and occupied by any resident of the State, not exceeding five thousand dollars in value, is exempt. Proceeds of homestead not exceeding five thousand dollars are exempt for two years. Husband cannot assign exempt wages except by a written instrument signed by wife with two witnesses, nor for a longer period than two months in advance.

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WYOMING.

Every householder being the head of a family, and every resident who has attained the age of sixty years, is entitled to a homestead not exceeding in value fifteen hundred dollars, exempt from execution or attachment for any debt, contract, or civil obligation, while such homestead is actually occupied as such by the owner thereof, or his or her family. The homestead may consist of a house and lot or lots in any town or city, or a farm of not more than one hundred and sixty acres.

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Besides the homestead above mentioned, the wearing apparel of every person is exempt from judicial or ministerial process; also the following property when owned by any person being the head of a family and residing with the same, to wit: the family Bible, pictures, and school-books; a lot in any cemetery or burial ground; furniture, bedding, provisions, and such other articles as the debtor may select, not to exceed in all the value of five hundred dollars, to be ascertained by the appraisal of three disinterested householders; provided that no personal property of any person about to remove or abscond from the State shall be exempt. The tools, teams, and implements, or stock in trade of a mechanic, miner, or other person, and used and kept for the purpose of carrying on his trade or business, is exempt to a value not exceeding three hundred dollars; also the library, instruments or implements of any professional man, not to exceed in value three hundred dollars.

BRITISH COLUMBIA.

Personal property to be selected by the debtor to the value of five hundred dollars is exempt from execution. Under the Homestead Act lands to the value of twenty-five hundred dollars may be registered as a homestead, and are then exempt from seizure or sale.

MANITOBA.

1st. Bedding and furniture not exceeding five hundred dollars. (This exemption does not apply, where claim, for which distress warrant has issued, is for wages.) 2d. Necessary clothing for judgment debtor and his family. 3d. Twelve volumes of books and the books of a professional man, one axe, one saw, one gun, six traps. 4th. Food for judgment debtor and family for eleven months if in possession. 5th. Three horses, mules, or oxen, six cows, ten sheep, ten pigs, fifty fowl, and food for the same during eleven months, provided that the exemption as to horses over four years of age shall apply only in case they are used by the judgment debtor in earning his living. 6th. Tools and implements up to five hundred dollars. 7th. Farm lands up to one hundred and sixty acres actually resided upon, cultivated by the judgment debtor, or used for grazing or other purposes, and the houses, stables, barns on the farm lands resided upon by judgment debtor. 8th. The actual residence or house of any person other than a farmer, provided the same does not exceed in value fifteen hundred dollars. 9th. All the necessary seeds of various varieties or roots for proper seeding and cultivation of eighty acres. 10th. Insurance on exemptions also exempt. There are no exemptions in cases of judgments for board and lodgings. No article is exempt when judgment was for purchase price of article seized.

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NOVA SCOTIA.

The necessary wearing apparel and bedding and bedsteads of the debtor and his family, and the tools and instruments of his trade or calling to the value of thirty dollars, one stove, and his last cow, cooking utensils, six each of knives, forks, plates, cups, saucers, spoons, chairs, one shovel, one table, teapot, jug, spinning-wheel, weaving loom, ten religious volumes, food and fuel for thirty days, two sheep, one hog, and food for same and cow for thirty days shall be exempt from execution.

Wearing apparel, bedding, kitchen utensils, and tools of trade or calling to the value of one hundred dollars.

ONTARIO.

The following chattels are exempt from seizure under any writ of execution whatever, and after the death of the debtor are exempt from the claims of his creditors: Furniture, bedding, and wearing apparel not exceeding in value one hundred and fifty dollars; fuel and provisions not exceeding in value forty dollars; animals not exceeding in value seventy-five dollars, and food therefor for thirty days; tools to the value of one hundred dollars; one dog and fifteen hives of bees. Free grants and homesteads to actual settlers in the districts of Algoma and Nipissing, and of certain lands between the River Ottawa and the Georgian Bay, are also free from creditor's claims.

QUEBEC.

The debtor may select and withdraw from seizure: 1st. The bed, bedding and bedsteads in use by him and his family. 2d. The ordinary and necessary wearing apparel of himself and his family. 3d. Two stoves and their pipes, one pot-hook and its accessories, one pair of andirons, one pair of tongs, and one shovel 4th. All the cooking utensils, knives, forks, spoons, and crockery in use by the family, two tables, two cupboards or dressers, one lamp one mirror, one washing stand with its toilet accessories, two trunks or valises, the carpets or matting covering the floors, one clock, one sofa, and twelve chairs, provided that the total value of such effects does not exceed the sum of fifty dollars. 5th. All spinning-wheels and weaving looms intended for domestic use, one axe, one saw, one gun, six traps, such fishing-nets, lines, and seines as are in common use, one tub, one washing machine one wringer, one sewing-machine, two pails, three flat-irons, one blacking-brush, one scrubbing-brush, one broom. 6th. Fifty volumes of books, and all drawings and paintings executed by the debtor or the members of his family, for their use. 7th. Fuel and food sufficient for the debtor and his family for three months. 8th. One span of plow-horses or a yoke of oxen; one horse, one summer vehicle and one winter vehicle, and harness used by a carter or driver for earning his livelihood; one cow, two pigs, four sheep, the wool from such sheep, the cloth manufactured from such wool, and the hay and other fodder intended for the feeding of said animals; and, moreover, the following agricultural tools and implements; one plow, one harrow, one working sleigh, one tumbril, one hay-cart with its wheels, and all harness necessary and intended for farming purposes. 9th. Books relating to the profession, art, or trade of the debtor, to the value of two hundred dollars. 10th. Tools and implements or other chattles ordinarily used in his profession, art, or trade to the value of two hundred dollars, 11th. Bees to the extent of fifteen hives.

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The following are exempt from seizure: Consecrated vessels and things used for religious worship; family portraits; immovables by a donor or testator, or by law, to be exempt from seizure, and sums of money or objects given or bequeathed upon the condition of their being exempt from seizure; old age annuities created by the act of Parliament of Canada, alimentary allowances granted by a court, and sums of money or pensions given as alimony, even though the donor or testator has not expressly declared them to be exempt from seizure (they may, however, be seized for alimentary debts); pensions granted by financial and other institutions to their employees; pay and pensions of persons belonging to the army or to the navy; the salaries of some public officers and professors, tutors, school teachers, and public officers; salaries of some public officers and employees of the Province, and salaries of city and town clerks, and of other municipal officers and employees and of city and town assessors in incorporated cities or towns, are seizable for one-fifth of every monthly salary not exceeding one thousand dollars per annum; one-fourth of every monthly salary exceeding one thousand dollars, but not exceeding two thousand dollars per annum, and one-third of every monthly salary exceeding two thousand dollars per annum. Four-fifths of the salary, remuneration, or earnings of members of the Corporation of Pilots for and below the harbor of Quebec for the pilotage of vessels are exempt from seizure. All other salaries and wages are exempt from seizure for four-fifths when they do not exceed three dollars per day; three-quarters when they exceed three dollars but do not exceed six dollars per day; and two-thirds when they exceed six dollars per day. There are also special exemptions in favor of settlers and fishermen.

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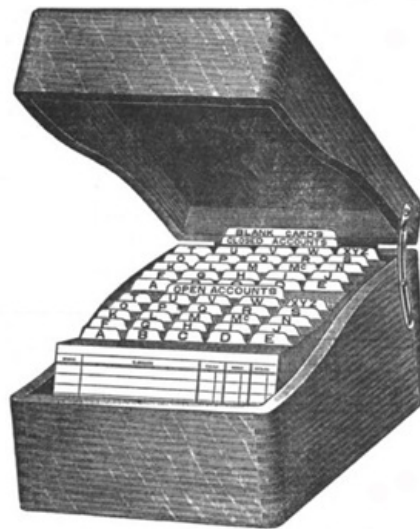
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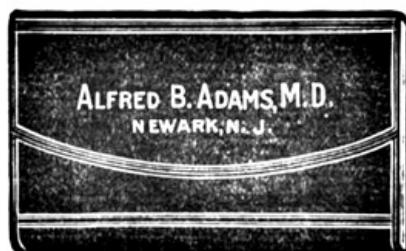
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TRANSCRIBER'S NOTES:

Punctuation has been corrected without note.

Inconsistencies in spelling and hyphenation have been retained from the original.

Page 1 in the Table of Contents has been corrected to Page 7.

Obvious typographical errors have been corrected as follows:

- Page 16: I changed to 1
- Page 21: acounts changed to accounts
- Page 50: individal changed to individual
- Page 51: libary changed to library
- Page 55: Ilinois changed to Illinois
- Page 57: usefruct changed to usufruct
- Page 67: minor changed to miner
debtors changed to debtor's
calender changed to calendar
- Page 68: virture changed to virtue
- Page 70: owners changed to owner's
- Page 79: pusuit changed to pursuit
- Page 95: Dicounting changed to Discounting
- Page 99: Newark, N. changed to Newark, N. J.

On page 40, note that *16th* is missing in the original text.

*** END OF THE PROJECT GUTENBERG EBOOK HOW TO COLLECT A DOCTOR BILL ***

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