

may require: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, that I will deliver up, convey and transfer, to my creditors, in such manner as the chancellor shall direct, all my property that I have, or claim any title to or interest in, at this time, and all debts, rights and claims, which I have, or am any way entitled to, in possession, remainder or reversion, (the necessary wearing apparel and bedding of myself and family excepted,) and that I have not, directly or indirectly, at any time, sold, conveyed, lessened or disposed of, for the use or benefit of any person or persons, or intrusted, any part of my monies or other property, debts, rights or claims, thereby to defraud my creditors, or any of them, or to secure the same to receive or expect any profits, benefits or advantages, thereby;" and the chancellor shall thereupon name such person as a majority of the creditors in value, their agents or attornies, shall recommend, to be a trustee for the benefit of the creditors of the petitioning debtor, or in case of the non-attendance of the creditors, or of their not making a recommendation, the chancellor shall name such person as he shall think proper, to be a trustee as aforesaid.

C H A P.
XCVII.

III. AND BE IT ENACTED, That no person herein before mentioned shall be entitled to the benefit of this act, unless the chancellor shall be satisfied, by competent testimony, that he has resided the two preceding years within the state of Maryland prior to the passage of this act; provided, that if the creditors who shall have due to them the amount of two thirds of the debts due by such debtor at the time of the passage of this act, shall at any time before the debtor obtains the final relief of this act, express in writing to the chancellor their dissent to the said debtor obtaining such relief, then such debtor shall not obtain the same; and provided also, that the chancellor may, notwithstanding the dissent of the creditors as aforesaid, from time to time order to be discharged from custody any of the said petitioners who may be in actual confinement in virtue of any process issued, or that may be issued, in pursuance of any debt at this time due and owing, which discharge is hereby declared to be a release only of the person of such debtor, but not of his property.

No person to be entitled but a citizen, &c.

IV. AND BE IT ENACTED, That before such trustee proceed to act, he shall give bond for the faithful performance of his duty to such person, in trust for the creditors of said petitioning debtor, and in such penalty, as the chancellor shall direct, which shall be recorded in the office of the register of the court of chancery, and a copy thereof, certified under the hand of the said register, shall be good evidence in any court of law or equity of this state; and if any trustee appointed by virtue of this act shall refuse to act, or die, or neglect to give bond as aforesaid in a reasonable time, to be judged of by the chancellor, or be removed by the chancellor for misbehaviour, the chancellor shall appoint such other person as he shall think proper in his place, who shall give bond as aforesaid, and on giving such bond, (in case the said debtor had conveyed his property to the former trustee,) he shall immediately be vested with all the property of every kind, and all the debts, rights and credits, of the said debtor, as completely as the former trustee was vested with the same.

Trustee to give bond, &c.

V. AND BE IT ENACTED, That upon the said petitioning debtor's executing and acknowledging a deed to the trustee to be appointed as aforesaid, conveying all his property, real, personal and mixed, and all debts, rights and claims, agreeable to the oath or affirmation of such debtor as aforesaid, and on his delivery to the said trustee all his said property which he shall have in possession, and of his books, papers, and evidence of debts of every kind, and the said trustee's certifying the same in writing to the chancellor, it shall be lawful for the chancellor to order that the said debtor shall be discharged from all debts, covenants, contracts, promises and agreements, due from, or owing or contracted by him, before the date of the said deed, and by virtue of such order the said debtor shall be discharged as aforesaid; provided, that no person who has been guilty of a breach of the law, and hath been fined, or is liable to be fined for such breach, shall be discharged from the payment of any fine incurred for any breach of the laws of this state; and provided, that any property which he shall thereafter acquire by gift, descent, or in his own right by bequest, devise, or in any course of distribution, shall be liable to the payment of the said debts; and provided also, that the discharge of such debtor shall not operate so as to discharge any other person from any debt.

On executing a deed, debtor to be discharged, &c.

VI. AND BE IT ENACTED, That the chancellor may allow such petitioning debtor to retain the necessary wearing apparel and bedding of himself and family.

May retain his apparel.

VII. AND BE IT ENACTED, That the chancellor may direct any trustee to be appointed by virtue of this act to sell and convey the property conveyed to him by the petitioning debtor, at such time, and on such terms and conditions, as he shall think most for the advantage of the creditors, and the produce thereof, after satisfying all incumbrances and liens, shall be divided among the said creditors, agreeable to their several and respective claims, but no judgment to be entered after the passage of

Trustee may be directed to sell, &c.