

C H A P. II. vested with all the property of every kind, and all the debts, rights and credits, of the said James Gantt, as completely as the former trustee was vested with the same.

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

III. AND BE IT ENACTED, That upon the said James Gantt'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, agreeably to the oath of the said James Gantt, and on his delivery to the said trustee all his said property which he shall have in his possession, and of his books, papers, and evidences of debts, rights and claims, of every kind, and the said trustee certifying the same, in writing, to the said chancellor, the said chancellor shall order and direct that the said James Gantt be released from all debts, covenants, judgments, contracts and agreements, due from, or owing or contracted by him, before the date of the said deed, and by virtue of the said order the said James Gantt shall be discharged as aforesaid; provided, that any property which the said James Gantt shall hereafter acquire in his own right, by devise, bequest, descent, or in course of distribution, shall be liable for the payment of his said debts; and provided also, that the discharge of the said James Gantt in virtue of this act shall not discharge any person or persons who now is, are or shall be, liable or answerable for him in any manner whatever, except such person or persons as are special bail for the said James Gantt, who are hereby discharged therefrom.

When fraud is alleged, debtor may be examined, &c.

IV. AND BE IT ENACTED, That if any creditor of the said James Gantt shall, within two years from the passing of this act, allege, in writing, to the chancellor of this state, or the county court of the county where the said James Gantt shall reside, and confirm his allegation by such proof as the chancellor, or the court aforesaid, shall deem sufficient, that the said James Gantt hath, before the passing of this act, directly or indirectly sold, conveyed, assigned, or otherwise disposed of, or purchased in trust for himself, or intrusted or concealed, any part of his property of any kind, or any part of his debts, rights or claims, thereby to deceive or defraud his creditors, or any of them, or to receive or to expect any profit or advantage thereby, the said chancellor, or court respectively, may thereupon, at the election of the creditor making such allegations, either examine the said James Gantt on interrogatories, on oath or affirmation, touching the subject of said allegations, or direct an issue or issues in a summary way, to determine the truth of the same; and if upon the answer of the said interrogatories, on the trial of the said issue or issues by a jury, the said James Gantt shall be found guilty of any fraud or deceit of his creditors, he shall be for ever precluded from any benefit of this act; and if the said James Gantt shall at any time thereafter, upon indictment, be convicted of wilfully, falsely and corruptly swearing or affirming to any matter or thing to which he shall swear or affirm by virtue of this act, he shall suffer such punishment as in the case of wilful and corrupt perjury.

Creditor liable to pay, &c.

V. AND BE IT ENACTED, That the creditor or creditors making such allegations shall be liable to pay to the said James Gantt such costs and damages as the said chancellor or court, as the case may be, before whom the allegations or issue or issues shall be tried, shall award, if the said James Gantt shall not be convict thereof.

On petition, to be discharged, &c.

VI. AND BE IT ENACTED, That if the said James Gantt shall petition to the chancellor, in writing, with his oath or affirmation annexed to such petition, offering to deliver up to his creditors all his property, rights and credits, of every kind whatsoever, it shall be lawful for the said chancellor immediately to order the sheriff in whose custody he is to discharge the said James Gantt out of his custody; and if the said James Gantt shall be arrested or imprisoned on any process for the recovery of any debt, damages or costs, contracted, owing or growing due before the passage of this act, the court before whom such process shall be returned shall and may discharge the said James Gantt out of his custody, on his common appearance being entered, without any special bail, provided that such discharge shall not acquit any other person or persons from such debt, damages or costs, or any part thereof, but that all such persons shall be answerable for the same in such manner as they were before the passing of this act.

C H A P. III.

Passed January 5, 1805.

An ACT to authorise and empower the levy court of Baltimore county to assess and levy a sum of money for the purposes therein mentioned.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of John Murray, of Baltimore county, that by an act passed in the year seventeen hundred and ninety-one, to lay out a road, at the charge of Baltimore county, from the Little Falls of Gunpowder to Baltimore-town, in continuation of the road from Belle-Air to said falls, five freeholders might be ap-