

from which he was discharged, there to remain until discharged by a due course of law; and provided always, that if any creditor of any petitioning debtor in any of the gaols on the eastern shore, shall require security of the petitioner, that the judge or justice aforesaid shall not release any petitioner until he or they shall give such security as the judge or justice shall require, for his appearance before the chancellor within three months from the date of his discharge as aforesaid.

C H A P.
LXX.

XIII. And be it enacted, That the chancellor may, by order, limit and appoint the time for creditors to bring in and declare their claims, and may examine such creditors, and also the debtor, on oath or affirmation, concerning the same, and, on any contested claim, may, if he thinks proper, order the same, or any fact concerning the same, to be tried on an issue framed for that purpose, and may order any part of the petitioning debtor's estate to be set apart and retained for the eventual satisfaction of any contested claim, or to be brought again into distribution; and if any creditor to whom a real debt is due, shall collude with the debtor to gain an undue preference in the satisfaction of his debt, or for concealment of any part of the debtor's estate or effects, or shall contrive or concert any acknowledgment of the debtor, by parole, or in writing, or any kind of security, to give false colour to his claim for more than is *bonâ fide* due, such creditor shall lose his debt truly due, and shall be totally excluded in the distribution.

Chancellor to
limit the time
for bringing
in claims, &c.

XIV. And be it enacted, That if the said debtors, or any of them, shall be arrested or imprisoned on any process sued out on any judgment or decree obtained against them, or any of them, for any debt, damages or costs, contracted, owing or growing due, before the passing of this act, the court, out of which such process issued, shall and may discharge such debtor, on motion; and if the said debtors, or any of them, shall be arrested or imprisoned on any process for the recovery of any debt, damages or costs, contracted, owing or growing due, before the passing of this act, the court, before whom such process shall be returned, shall and may discharge such debtor or debtors out of custody, on his common appearance being entered, without any special bail; provided, that the discharge of such debtor or debtors shall not acquit any other person 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.

Debtors ar-
rested may be
discharged,
&c.

XV. And be it enacted, That all proceedings in chancery under this act shall be recorded by the register, who shall be entitled to the same fees as are fixed by law for services in other cases, which shall be paid at the time of obtaining the discharge.

Proceedings
to be record-
ed, &c.

XVI. And be it enacted, That in all appointments of trustees under this act by the chancellor, in the room of any person before appointed, the chancellor shall consult the creditors, and govern himself by the choice of a majority of them in value, unless upon notice being given by public advertisement, or in such other manner as he shall think reasonable, the said creditors shall neglect to make such choice.

Creditors to
be consulted,
&c.

XVII. And be it enacted, That none of the said debtors who do not make application as aforesaid on or before the first day of June next, shall have any benefit of this act.

When appli-
cation is to be
made.

C H A P. LXXI.

An ACT for the payment of the journal of accounts.

Passed De-
cember 31.

WHEREAS it appears by the journal of accounts of this session, that there is now due from this state the sum of eight thousand nine hundred and thirteen pounds thirteen shillings and two-pence current money,

Preamble.

II. Be it enacted, by the General Assembly of Maryland, That the treasurer of the western shore shall and he is hereby authorized and required to pay the several

Treasurer to
pay, &c.