

ges and costs, or any part thereof, but that all such shall be answerable for the same in the same manner as they were before the passing of this act. CHAP. 64.

9. AND BE IT ENACTED, That if any of the partnership creditors of the said Richard Gittings and Lambert Smith shall, at any time within two years after their discharge, allege, in writing, to the said court, in court sitting, that the said Richard Gittings and Lambert Smith have, directly or indirectly sold, conveyed, lessened, or otherwise disposed of, or intrusted or concealed, any part of their property of any kind, or any part of their debts, rights or claims, with intent thereby wilfully and corruptly to deceive and defraud their creditors, or to secure the same for their own benefit, or to receive or expect any profit, benefit or advantage thereby, the said court may thereupon examine the said Richard Gittings and Lambert Smith on interrogatories, on oath, for the discovery of their property, or any concealment thereof, and respecting their conduct touching the same, or the said court may direct an issue or issues to be tried in the said court to determine the truth of any allegation made by the said Richard Gittings and Lambert Smith; and if the said Richard Gittings and Lambert Smith shall be so found to have committed any such corrupt and wilful fraud and deceit of their creditors, they shall be precluded from having any benefit of this act; and in case the said Richard Gittings and Lambert Smith shall, at any time within two years as aforesaid, upon any indictment, be convict of wilfully, falsely and corruptly swearing to any matter or thing in their oath aforesaid contained, they shall suffer as in case of wilful and corrupt perjury, and likewise be liable to their creditors, and be wholly deprived of any relief or benefit of this act.

In case fraud is alleged, may be examined on oath.

10. AND BE IT ENACTED, That in case of the death of either of the said petitioners before relief shall be obtained under this act, the survivor, upon complying with the terms of this act, on his part, shall be entitled to the full benefit, and be subject to all the pains and penalties thereof.

In case of death of either, survivor entitled to full benefit of this act, &c.

CHAP. LXV.

An Act to provide for the organization and regulation of the Courts of Common Law in this State, and for the Administration of Justice therein. Lib. TH. No. 1, fol. 72. Passed Jan 25 1806

Supplements 1806, ch. 41, ch 90; November 1812, ch. 145, and 1816, ch. 242; See other acts, 1801, ch. 74; 1805, ch. 86, ch. 96; 1806, ch. 50, ch. 94; 1807, ch. 14, ch. 146; 1810, ch. 156; 1815, ch. 215 and 1816, ch. 151.

WHEREAS a very material reform in the courts of common law in this state has been established by the act, entitled, An act to provide for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals, which passed at November session, eighteen hundred and four,* and was ratified and confirmed, according to the constitution and form of government, at this present session,† and it is necessary to make provision by law to carry into full and complete effect such reform, in conformity with the principles contained in said act; therefore,

Preamble.

* Ch. 55;

† Ch. 16.

2. BE IT ENACTED, by the General Assembly of Maryland, That the judges of the court of appeals, and the judges of the district Judges oath.