

CHAP. 210. If any trustee hath or shall become insolvent, the county court may call such trustee before him, and inquire into the cause of complaint in a summary way, and make such rules and orders as shall be judged necessary for the accomplishment of the object of the trust, and punish the said trustee as far as contempt in case of his not obeying the same, and if they think it necessary, they may remove the said trustee and appoint another person in his place.

If debtor be in prison court may discharge him from confinement on giving security to appear and answer interrogatories.

11. AND BE IT ENACTED, That if any debtor (1), who shall petition in virtue of this act, shall be imprisoned at the time of exhibiting such petition, it shall be lawful for the county court, or any judge thereof, to order the sheriff, or other officer, in whose custody he shall be, to bring him before such court, or judge, at a certain time in the said order to be appointed, for the purpose of taking the oath or affirmation herein before mentioned, and the said sheriff, or other officer, shall obey the said order, and shall be entitled to a preference, after the discharge of all liens on the said debtor's estate, to all other creditors, in the payment of his account against the said debtor for legal fees of imprisonment, and his reasonable expenses in carrying the said debtor to the county court, or any judge thereof, in obedience to the order as aforesaid, any thing in this act to the contrary notwithstanding; and the court, or any judge thereof, may direct that the body of such debtor shall be discharged from imprisonment, and appoint a time when such debtor shall appear before the county court, to answer interrogatories which his creditors may propose to him, on not less than three months notice as aforesaid, any thing in this act to the contrary notwithstanding; *Provided*, that such discharge from imprisonment shall not operate as a discharge of any of the debts of the said imprisoned debtors; *And provided*, that the said imprisoned debtor, at the time of his discharge, if required by the county court, or any judge thereof, shall enter into a bond, with such penalty and security as the county court, or any judge thereof shall direct and approve, conditioned for his personal appearance at such time or times as the said court, or any judge thereof, shall direct, to answer the allegations of his creditor or creditors according to the provisions aforesaid; and if the said debtor shall not enter into bond as aforesaid, if required by the county court, or any judge thereof, then such debtor shall remain in confinement until the application, (if objected to,) shall be decided on.

(1) See 1807, ch. 150, s. 3, and 1808, ch. 71, s. 2.

Court may limit time for bringing in claims; may examine creditors and debtor on oath concerning the same, &c.

12. AND BE IT ENACTED, That the county court 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 they think 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 writ-