

ting, or any kind of security, to give false colour to his claim for more than is due; such creditor shall lose his claim, and shall be totally excluded in the distribution.

13. 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, damage or costs, contracted, owing or growing due, before the passage of this act, or before the time of their application to the county court for the benefit of this act, the court, out of which such process issued, or any judge thereof, of the county where the said debtor may be arrested or imprisoned, on application made to them, 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 passage of this act, or before the time of their application to the county court for the benefit 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 or discharge 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, or before the time of their application to the county court for the benefit of this act.

If debtor taken in execution, he may be discharged on motion, or if arrested, &c. on his common appearance being entered.

*Proviso*

*See note (e) to section 3, and the act of November 1812, ch. 77, s. 3.*

14. AND BE IT ENACTED, That all proceedings under this act shall be recorded by the clerk of the county courts in which such debtor shall reside, 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 recorded by the clerk.

15. AND BE IT ENACTED, That in all appointments of trustees under this act by the county court, in the room of any person before appointed, the county court shall consult the creditors, and govern themselves by the choice of a majority of them in value, unless upon notice being given by public advertisement, or in such manner as they shall think reasonable, the said creditors shall neglect to make such choice.

Court to consult the creditors in appointing a trustee.

16. AND BE IT ENACTED, That none of the said debtors named in this act, who do not make application as aforesaid on or before the first day of September next (m), nor any other persons who shall apply for the benefit of this act, who shall not execute a deed (n) for all his estate, real, personal or mixed, to any trustee appointed in virtue of this act, within one month after the appointment of such trustee, and bond given by him according to the provisions of this act, shall have any benefit of this act.

Debtor not executing deed to trustee, &c. to derive no benefit &c.

(m) See section 21.

(n) By 1808, ch. 71, and November 1812, ch. 77, a deed to the trustee is not necessary to vest the property in him.

17. AND BE IT ENACTED, That nothing herein contained shall be construed to compel the above named John Gill, of the city of Baltimore, to obtain the assent of two thirds in value of his creditors, but it shall and may be lawful for the county court of Baltimore county to award and adjudge to the said John Gill, the full and final relief of this act, unless some one or more of the creditors

J. Gill to have relief, &c.