

CHAT. 11.

tee court to discharge them from all debts, &c.

William P. Stewart, to the trustee to be appointed as aforesaid, conveying all their property, real, personal and mixed, and all debts and claims, agreeably to the oath or affirmation as aforesaid, and on their delivery to the said trustee all the said property which they shall have in possession, and their books, papers and evidences of debts of every kind, and the said trustee certifying the same, in writing, to the said court, it shall be lawful for the said court to order that the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall be discharged from all debts, covenants, contracts, promises and agreements, due from, or owing or contracted by them, as partners in trade as aforesaid, before the first day of May, in the year of our Lord one thousand eight hundred and six, and by virtue of such order the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall be discharged as aforesaid; *Provided*, that if the said David C. Stewart, Lloyd Buchanan and William P. Stewart, have been guilty of a breach of the laws, and have been fined, or are liable to be fined, for such breach, they shall not be discharged from payment of any fine incurred for any breach of the laws of this state; *And provided*, that any property which they, or either of them, shall thereafter acquire by gift, descent, or in their or either of their own right by bequest, devise, or in any course of distribution, shall be liable to the payment of their said debts; *And provided*, that the discharge of the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall not operate so as to discharge any other person from any debt.

Provisos.

To retain their wearing apparel.

5. AND BE IT ENACTED, That the said court may allow the said David C. Stewart, Lloyd Buchanan and William P. Stewart, to retain the wearing apparel of themselves and families.

Court may direct trustee to sell and convey property, &c.

6. AND BE IT ENACTED: That the said court may direct any trustee, to be appointed by virtue of this act, to sell and convey the property conveyed to him by the said David C. Stewart, Lloyd Buchanan and William P. Stewart, at such time, and on such terms and conditions, as he shall think most advantageous for the creditors, and the proceeds thereof, after satisfying all incumbrances and liens, shall be divided among the said creditors, agreeably to their several and respective claims, but no judgment to be rendered after the passage of this act against the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall be a lien on their real and personal property, nor shall any process against their real or personal property have any effect thereon, except writs of *feri facias* actually and *bona fide* laid before the passage of this act.

Trustee's commission—In case of complaint against trustee, court to enquire into the cause, &c.

7. AND BE IT ENACTED, That the said court may allow any trustee, to be appointed by virtue of this act, such commission for his trouble as they shall think reasonable, not exceeding eight *per centum*; and if any complaint shall be made to the said court of the conduct of the trustee, by any creditor interested in the distribution of the estate, the said court may call such trustee before them, 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 for a contempt, in case of his not obeying the same, and if the said court think it necessary, they may remove such trustee, and appoint another person in his place,