

ment, with an affidavit of the sheriff, gaoler, or other credible person, that the defendant hath laid in gaol as aforesaid under commitment, and still continues a prisoner by virtue thereof, the chancellor may declare such prisoner insolvent: And on the chancellor's declaring any prisoner or other debtor as aforesaid insolvent, he may thereupon order him to deliver up all his property and debts on oath or affirmation, and to convey and transfer the same to a trustee or trustees for the benefit of all his creditors, and may compel obedience to his orders, and similar proceedings shall be had in every respect as herein before provided on the application of the debtor; and any prisoner or other debtor declared insolvent as aforesaid, complying with the chancellor's orders as aforesaid, shall in all things be considered and discharged, and have the benefit of this act, and be subject to all the consequences of fraud, deceit or false swearing, as if he had applied for relief under this act; but if any prisoner or other debtor declared insolvent as aforesaid, will not comply with the chancellor's orders as aforesaid, the chancellor may pass his order that all the property that such debtor hath or may claim any title to, or interest in, and all debts, rights and claims, which he is in any respect entitled to, in possession, remainder or reversion, be and are thereby assigned to such person or persons as he, by such orders, shall appoint trustee or trustees, and such order shall be in itself an assignment as effectual for the purpose of conveying and transferring such debtor's estate, property, debts, rights and claims, legal and equitable, as any assignment actually executed by him under the chancellor's order; and the chancellor, on such debtor submitting afterwards to examination on oath, and thereon making full and satisfactory discovery of his estate, property, debts, rights and claims, may in his discretion discharge him as if he had at first complied according to this act.

C H A P.
XXXIV.

XVI. And be it enacted, That any debtor of any sum of or under three hundred pounds current money, may apply to the county court of the county where he may live, or where he may be imprisoned, and such court shall have the same power and jurisdiction, and may proceed in every respect in the same manner, on the application of such debtor, as the chancellor is herein before authorized to act and determine in the case of persons indebted above three hundred pounds current money; and such county courts are hereby directed to conform themselves to the directions of this act, and to adopt rules and orders substantially similar to those the chancellor may make in cases by him decided, except as to notice to creditors, which shall be given, in case the debtor is in custody, by advertisement set up at the court-house and prison doors ten days previous to the meeting of the court in course, or by adjournment, and in case the debtor shall not be in custody, then shall notice of such application be given as aforesaid, and also published in the Maryland Gazette and Baltimore Journal six weeks previous to such meeting of the court, and if such debtor, not in custody, resides on the eastern shore, he shall also cause such notice as aforesaid to be given in the public paper printed in Chester-town.

Certain debtors may apply to the county court, &c.

XVII. And be it enacted, That if the state shall be the creditor of any such debtor, the chancellor, or the county court to whom such debtor shall apply, is hereby required to direct notice of the application of such debtor to be given to the attorney-general, and to the treasurer of the western shore; and the treasurer shall thereupon transmit the claim of the state against such debtor to the chancellor, or such county court, and also to the attorney-general, who will take care of the interest of the state, and that the right of the state, and preference in payment, in such cases where a preference is given by law, be obtained, and that such sum as the state may be entitled to be paid to the treasurer of the western shore.

Where the state is creditor, notice to be given, &c.

XVIII. And be it enacted, That all applications to the chancellor under this act, and all proceedings thereupon, shall be entered by the register of the chancery court in a book to be kept for that purpose only; and he shall be

All applications, &c. to be entered in a book, &c.