

CHAP. 293

Court at discretion

If demanded and not given?

Discharge invalid

Case of interrogatories

Examine witnesses

**Issue subpoenas—
attachments,**

**Case of application
and relieving**

**Personal discharge
void**

**Until benefit is
granted**

**Explanatory—scire
facias**

ers or the court as the case may be, may at their discretion, accordingly require such security to be given, to be approved by them respectively, and assign a day by which the same shall be given; and if such security be not given by such day, the personal discharge granted to such insolvent debtor, shall have no effect until the said security shall be given, or until such insolvent debtor shall obtain a final discharge under his application.

Sec. 5. And be enacted, That where interrogatories shall be filed before the commissioners aforesaid, on part of any creditor against an insolvent debtor, the commissioners may as to such debtor's disposition of his property and his compliance with the provisions of the insolvent laws, examine any witness that may be adduced on behalf of either the debtor or the creditor, and may issue subpoenas, or quest of any of said parties for any witnesses, and enforce their attendance by attachment; and direct all process in the premises to the sheriff of Baltimore county, who shall execute the same.

Sec. 6. And be it enacted, That where upon the case of any application that shall hereafter be made to the commissioners, the said commissioners shall make an unfavorable report to Baltimore county court, and the insolvent debtor shall apply to said court for a review of said case under the supplement to the act to which this is a supplement, passed at December session of the year eighteen hundred and twenty nine, chapter two hundred and eight, the personal discharge that shall have been granted to such insolvent debtor shall cease to have any effect until and unless such court shall be of opinion after examination as prescribed by said supplement, that said insolvent debtor is entitled to the benefit of the said insolvent laws.

Sec. 7. And whereas, it is doubtful whether a scire facias be not necessary upon a judgment, although three years shall not have elapsed since its rendition, in order by virtue of the fifth section of the act of November session of the year eighteen hundred and five, chapter one hundred and ten, to affect and make answerable by execution any property acquired by an insolvent debtor by gift, or descent or in his or her own right, by bequest, devise, or in any course of distribution; Therefore be it further enacted, That no scire facias in any such case where more than three years shall not have elapsed as aforesaid, shall be deemed necessary for the purpose aforesaid.