

C H A P.
XLI.

the said Caleb Summers in virtue of this act shall not discharge any person or persons who now is, are or shall be, liable or answerable for him in any manner whatsoever, except such person or persons as are or have become bail for the said Caleb Summers, who are hereby discharged therefrom.

When fraud,
&c. is alleged,
may be exam-
ined, &c.

IV. AND BE IT ENACTED, That if any creditor of the said Caleb Summers shall, within three years from the passage of this act, allege in writing to the chancellor, or to the general court of the western shore, or the county court of the county where the said Caleb Summers shall reside, and confirm his allegation by such proof as the chancellor, or the courts respectively shall deem sufficient, that the said Caleb Summers hath, before the passing of this act, directly or indirectly sold, conveyed, assigned or otherwise disposed of, or purchased, in trust for himself, or intrusted or concealed, any part of his property of any kind, or any part of his debts, rights or claims, thereby to deceive or defraud his creditors, or any of them, or to receive or expect any profit or advantage thereby, the said chancellor, or court respectively, may thereupon, at the election of the creditor making such allegation, either examine the said Caleb Summers on interrogatories, on oath or affirmation, touching the subject of the said allegations, or direct an issue or issues in a summary way, without the form of an action, to determine the truth of the same; and if upon the answer of the said interrogatories, or the trial of the said issue or issues by a jury, the said Caleb Summers shall be found guilty of any fraud or deceit of his creditors, he shall be for ever precluded from any benefit of this act; and if the said Caleb Summers shall, at any time thereafter, upon indictment, be convicted of wilfully, falsely and corruptly swearing to any matter or thing to which he shall swear by virtue of this act, he shall suffer as in case of wilful and corrupt perjury.

If arrested, to
be discharged,
&c.

V. AND BE IT ENACTED, That if the said Caleb Summers shall have been, or shall hereafter be, arrested or imprisoned on any process sued out on any judgment or decree obtained against him for any debt, damages or costs, or on any other process sued out for the recovery of any debt, damages or costs, contracted, owing or due before the passing of this act, the court before whom such process shall be returnable, or any one judge or justice thereof during the recess of the court, shall and may discharge the said Caleb Summers out of custody, directing a common appearance to be entered to the mesne process; provided, that the discharge of the said Caleb Summers shall not acquit 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.

When to apply,
&c.

VI. AND BE IT ENACTED, That if the said Caleb Summers does not make application as aforesaid on or before the first day of June next, he shall not have any benefit of this act.

C H A P. XLII.

Passed 31st of
Dec. 1803.

An ACT to prevent swine and geese from going at large in Taneytown, in Frederick county.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of the inhabitants of Taneytown, in Frederick county, that great inconveniencies and injuries have resulted from the going at large of swine and geese in said town; for prevention whereof,

Constable may
seize geese, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for the constable of the hundred to seize or impound any geese or swine, the property of any inhabitant of said town, he shall find going at large therein; and it shall be the duty of said constable so seizing and impounding, immediately to set up notice thereof in the most public places of said town for at least three days, and to insert the marks and description of such geese or swine in said notices, and if the same are not reclaimed within three days after seizure and impounding, and the expences of impounding and keeping, to be allowed by a justice of the peace, be paid, together with the sum of twenty-five cents for every hog or goose, that the same shall be publicly sold by the said constable, giving three days notice in writing, set up as aforesaid, of the time and place of such sale, and the proceeds of such sale shall be first applied to the expence of impounding and keeping them, and the surplus, the one half thereof shall be paid to the constable, and the other half shall be paid over to the supervisor of the road in said hundred, and by him applied towards the mending and repairing the streets in said town, to be laid out under the direction of the said supervisor of the road in said hundred.

C H A P. XLIII.

Passed 7th of
January, 1804.

An ACT authorising a lottery to raise a sum of money for repairing Shrewsbury church in Kent county.

Preamble.

WHEREAS it is represented to this general assembly, by the petition of the vestry of Shrewsbury parish in Kent county, that the parish church, and the enclosure of the burial-ground,