

8. AND BE IT ENACTED, That if the said David C. Stewart, Lloyd Buchanan and William P. Stewart, or either of them, shall be arrested or imprisoned on any process sued out on any judgment or decree against him or them for any debt, damages or costs, contracted, owing or growing due, in virtue of the aforesaid copartnership, before the first day of May, in the year of our Lord one thousand eight hundred and six, the court out of which such process issued, or any judge as aforesaid, shall and may discharge the said David C. Stewart, Lloyd Buchanan and William P. Stewart, or either of them, on motion; and if the said David C. Stewart; Lloyd Buchanan and William P. Stewart, or either of them, shall be arrested or imprisoned on any process for the recovery of any debt, damages or costs, contracted, owing or growing due, in virtue of the copartnership aforesaid, before the first day of May, in the year of our Lord one thousand eight hundred and six, the court before whom such process shall be returnable, or any judge as aforesaid, shall and may discharge the said David C. Stewart, Lloyd Buchanan and William P. Stewart, out of custody, on his or their entering, or agreeing to enter, their common appearance to the said action, and no special bail shall be required of them, or either of them; *Provided*, that the discharge of the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall not acquit any other person from such debt, damages and costs, or any part thereof, but that all such persons shall be answerable for the same in the same manner they were before the passing of this act.

CHAP. 11.

If arrested on any process, &c. for debt contracted before 1st May 1806, court may discharge them on motion.

Proviso:

9. AND BE IT ENACTED, That if any of the partnership creditors of the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall, at any time within two years after their discharge, allege, in writing, to the said court in court sitting, that the said David C. Stewart, Lloyd Buchanan and William P. Stewart, have, directly or indirectly, sold, conveyed, lessened, or otherwise disposed of, or intrusted or concealed, any part of their property of any kind, or any part of their debts, rights, or claims, with intent thereby wilfully and corruptly to deceive and defraud their creditors, or to secure the same for their benefit, or to receive or expect any profit, benefit or advantage thereby, the said court may thereupon examine the said David C. Stewart, Lloyd Buchanan and William P. Stewart, on interrogatories on oath, for the discovery of their property, or any concealment thereof, and respecting their conduct touching the same, or the said court may direct an issue or issues to be tried in the said court, to determine the truth of any allegation made by the said David C. Stewart, Lloyd Buchanan and William P. Stewart, and if they shall be so found to have committed any such corrupt and wilful fraud and deceit of their creditors, they shall be precluded from having any benefit of this act; and in case the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall, at any time within two years as aforesaid, upon any indictment, be convict of wilfully, falsely and corruptly swearing to any matter or thing in their oath aforesaid contained, they shall suffer as in case of wilful and corrupt perjury, and likewise be liable to their creditors, and be wholly deprived of any relief or benefit of this act.

In case of fraud alleged within two years after their discharge, they may be examined by court, &c.