

C H A P.
LXX.

dues, in virtue of this act, to deliver to, or leave at the last place of abode of, such person or persons, his, her or their executors or administrators, chargeable with the same, at least thirty days previous to levying such execution or distress, an account, written in words at full length, of the taxes, officers fees or public dues, demanded of him, her or them, with an affidavit annexed, if required, that he hath not received any part thereof, nor any thing as security or satisfaction for the same, more than credit given, to the best of his knowledge.

Books to be
lodged, &c.

III. AND BE IT ENACTED, That the said William Moffitt, before he derives any benefit from or under this act, shall lodge a copy of his collection books in the sheriff's office of Kent county, to be opened for the inspection of all persons interested in the same.

C H A P. LXXI.

Passed 22d of
Dec. 1808.

A Further supplement to the act, entitled, An act for the relief of sundry insolvent debtors, passed at November session, eighteen hundred and five.

Preamble.

WHEREAS by the construction which has been given by some of the courts of this state to the third section of an act, supplementary to an act to which this is also a supplement, passed at November session, eighteen hundred and seven, it appears that the object of the legislature thereby contemplated has not been accomplished; therefore,

Imprisoned
debtors may
make applica-
tion, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That any imprisoned debtor may hereafter, immediately upon his or her confinement, without any previous notice, make application, by petition in writing, to the court of the county in which he or she shall be so imprisoned, or to any judge thereof, upon his or her complying with the other provisions of the said original act, and the supplements thereto, except that provision which requires the assent of two thirds of his or creditors, and it shall thereupon be lawful for the said court or judge to order the sheriff, or other officer in whose custody he or she shall be, to bring him or her before such court or judge, at a certain time in the said order to be appointed, for the purpose of taking the oath, or affirmation, in the said original act prescribed to be taken by an insolvent debtor, and the said sheriff, or other officer, shall obey the said order, and shall be entitled to a preference, after a discharge of all liens on the said debtor's estate, to all other creditors, in the payment of his account against the said debtor for legal fees of imprisonment, and his reasonable expenses in carrying the said debtor to the county court, or any judge thereof, in obedience to the order as aforesaid, any thing in the said original law, or the supplements thereto, notwithstanding; and the court, or any judge thereof, may direct that the body of such debtor shall be discharged from imprisonment, and appoint a time when such debtor shall appear before the county court, to answer interrogatories which his creditors may propose to him or her; on not less than three months notice, as by the said original act is provided, any thing in the said original act, or the supplements thereto, to the contrary notwithstanding; provided, that such discharge from imprisonment shall not operate as a discharge of any of the debts of the said imprisoned debtor, unless the said debtor shall, before his final hearing, obtain the assent, in writing, of two thirds in amount of his or her creditors; and provided, that the said imprisoned debtor, at the time of his discharge by the county court, or any judge thereof, shall enter into bond, with such penalty and security as the county court, or any judge thereof, shall direct and approve, conditioned for his personal appearance at such time or times as the said court, or any judge thereof, may direct, to answer the allegations of his or her creditor or creditors, according to the provisions aforesaid, and if the said debtor shall not enter into bond as aforesaid, if required by the county court, or any judge thereof, then such debtor shall remain in confinement until the application, if objected to, shall have been decided upon.

Court, &c may
appoint a trustee,
&c.

III. AND BE IT ENACTED, That in all cases of petitions of insolvent debtors, as well those that are now depending as those that may hereafter apply for the benefit of the acts for the relief of insolvent debtors, the court before whom such petition may be depending, or any judge thereof, may appoint a trustee for the benefit of the creditors of such debtor, and may order that such trustee shall enter into bond, with such surety or sureties as the said court or judge shall approve, and on filing such bond with the clerk of the court, all the property, real, personal and mixed, of such debtor, and also all claims which shall be due to such debtor, shall immediately be vested in such trustee, for the use and benefit of the creditors of such debtor, any thing in any other law to the contrary notwithstanding.