

trustee as the court may appoint, for the benefit of his creditors, all the property, estate, rights and claims of every description, to which he is in any manner entitled, the necessary wearing apparel and bedding of himself and family or such property as may by law be exempted from execution excepted, and that he has not at any time, sold, lessened, transferred or disposed of any part of his property for the use or benefit of any person, or entrusted any part of his money, or other property, debts, rights or claims thereby, to delay or defraud his creditors, or any of them, or to secure the same so as to receive, or except to receive, any profit, benefit or advantage himself therefrom; *Provided*, that the said applicant has at no time within two years previous to his said application been discharged under any insolvent law of this State.

Proviso.

Trustees.

SEC. 2. *And be it enacted*, That the court shall then appoint a trustee for the benefit of the creditors, who shall give bond to the State, with surety for the faithful performance of his trust, and the insolvent shall convey to such trustee all his property and estate of every description, and upon the approval of said bond all the property of every description, rights and claims of the insolvent, as well such as are enumerated and described in his schedule as the property, rights and claims which are so enumerated and described, shall vest in the said trustee, except as before excepted.

Day for insolvent to appear.

SEC. 3. *And be it enacted*, That the said court shall then fix a day for the insolvent to appear and answer such interrogatories or allegations as his creditors, endorsers or sureties may propose or alledge against him, and shall order not less than three months notice of said day to be given by such insolvent to his creditors in such manner as the court may direct.

Court may discharge insolvent.

SEC. 4. *And be it enacted*, That if the creditors, endorsers or sureties shall fail to make any allegations or propose any interrogatories, or if the same shall be answered satisfactorily or determined in favor of the insolvent, then the court shall discharge the insolvent from all debts and contracts made before the filing of his petition, and he shall be released from all such debts and contracts, and such discharge and release shall embrace all cases where he is endorser or surety, and he shall not be liable to pay any joint contractor, surety or endorser, who may pay any debt or perform any contract after the filing of his petition, which was entered into before the application is made.