

C H A P.
XCVII.

not operate as a discharge of any of the debts of the said imprisoned debtor; and provided, that the said imprisoned debtors, at the time of their discharge, if required by the chancellor, shall enter into bond, with such penalty, and with security, as the chancellor shall direct and approve, conditioned for the personal appearance at such time or times as the said chancellor shall direct, to answer the allegations of their creditor or creditors, according to the provisions aforesaid; and if the said debtors shall not enter into bond as aforesaid, if required by the chancellor, then such debtors shall remain in confinement until their application (if objected to) shall be decided on.

Judge, &c. on
E. shore may
order the sher-
riff, &c.

XII. And be it enacted, That in case any person named in this act may be imprisoned in any gaol on the eastern shore, it shall be lawful for the judge of the district, or any associate justice of the county, on the application of such person, at any time before the first day of June next, to order the sheriff in whose custody he may be, to bring the said person immediately before him for the purpose of taking the oath, or affirmation, if required, for delivering up his property to his creditors; and if the said person, so brought before the judge or justice, shall produce a petition to the chancellor, with a schedule of his whole property, and a list of his creditors, on oath, as herein required, thereto annexed, and also the assent of two thirds of his creditors, and shall, before the said judge or justice, take the oath required for delivering up his property for the use of his creditors, it shall be lawful for the said judge or justice to order that the said person be discharged from imprisonment, and appear before the chancellor within three months from the time of such discharge; and if such order shall be made, the said judge or justice shall transmit the said petition, and assent of his creditors in writing as aforesaid, with the schedule and list on oath as aforesaid, annexed, to the chancellor; provided nevertheless, that if the said person, so discharged from imprisonment, shall not appear before the chancellor agreeably to the said order, it shall be lawful for any judge or justice, on application of the party at whose suit the said person was imprisoned, and on his producing a certificate from the register in chancery, that such person hath not appeared before the chancellor agreeably to the said order, to remand the said person to the prison from which he was discharged, there to remain until discharged by a due course of law; and provided always, that if any creditor of any petitioning debtor in any of the gaols on the eastern shore, shall security require of the petitioner, that the judge or justice aforesaid shall not release any petitioner until he or they shall give such security as the judge or justice shall require, for his appearance before the chancellor within three months from the date of his discharge as aforesaid.

Chancellor to
limit the time
for bringing
in claims, &c.

XIII. And be it enacted, That the chancellor may, by order, limit and appoint the time for creditors to bring in and declare their claims, and may examine such creditors, and also the debtor, on oath or affirmation, concerning the same, and on any contested claim, may, if he thinks proper, order the same, or any fact concerning the same, to be tried on an issue framed for that purpose, and may order any part of the petitioning debtor's estate to be set apart and retained for the eventual satisfaction of any contested claim, or to be brought again into distribution; and if any creditor to whom a real debt is due, shall collude with the debtor to gain an undue preference in the satisfaction of his debt, or for concealment of any part of the debtor's estate or effects, or shall contrive or concert any acknowledgment of the debtor by parole, or in writing, or any kind of security, to give false colour to his claim for more than is *bonâ fide* due, such creditor shall lose his debt truly due, and shall be totally excluded in the distribution.

Debtors ar-
rested may be
discharged,
&c.

XIV. And be it enacted, That if the said debtors, or any of them, shall be arrested or imprisoned on any process sued out on any judgment or decree obtained against them, or any of them, for any debt, damages or costs, contracted, owing, or growing due before the passing of this act, the court out of which such process issued, shall and may discharge such debtor on motion; and if the said debtors, or any of them, shall be arrested or imprisoned on any process for the recovery of any debt, damages or costs, contracted, owing, or growing due before the passing