

“and transfer, to the use of my creditors, all my property, real, personal or mixed, (the necessary wearing apparel of myself and family, as allowed by my trustee, only excepted,) that I have or claim any title to, or interest in, at this time, and all debts, rights and claims, which I have at this time, or that I am in any respect entitled to, in possession, remainder or reversion; and that I have not, directly or indirectly, at any time before, sold, conveyed, leased, disposed of, or intrusted or concealed, any part of my property of any kind, or any part of my debts, rights or claims, thereby wilfully to defraud or deceive my creditors, or any of them, or to secure the same, or to receive or expect any profit, benefit or advantage thereby;” and shall execute and acknowledge, before two justices of the same county, a deed to his trustee, appointed in virtue of this act, on behalf of his creditors, for all his property, debts, rights and claims, agreeably to his said oath, in trust for his creditors, a schedule whereof he shall insert in, or annex to, the said deed, that thereupon, and for ever thereafter, the said Philip Edwards shall, by virtue of this act, be acquitted, released, and for ever discharged, from all debts, promises, contracts, agreements and covenants, due from, or contracted, made or entered into, by him, before the passing this act; provided, that any property acquired by the said Philip Edwards, after the making the said deed, by descent, or in his own right by devise, bequest, or in course of distribution, shall be liable for the payment of his debts.

III. AND BE IT ENACTED, That the sheriff of Baltimore county shall be and is hereby appointed as trustee in behalf of the creditors of the said Philip Edwards; and the said sheriff, before he acts as such, shall take the following oath before some justice of the peace of said county, to wit: “I, A. B. do swear, that I will faithfully, impartially and honestly, according to the best of my skill and knowledge, execute the several powers and trusts reposed in me as trustee for the creditors of Philip Edwards, without favour, affection, prejudice or malice.”

Sheriff appointed trustee, &c.

IV. AND BE IT ENACTED, That if the said Philip Edwards shall be arrested or imprisoned on any process sued out on any judgment or decree obtained against him 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 the said Philip Edwards on motion; and if the said Philip Edwards 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 of this act, the court before whom such process shall be returned shall and may discharge the said Philip Edwards out of custody on his common appearance being entered, without any special bail; provided, that the discharge of the said Philip Edwards 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.

If arrested, to be discharged, &c.

V. AND BE IT ENACTED, That if any creditor of the said Philip Edwards shall, at any time within two years after he is discharged, allege in writing to the justices of Baltimore county court, in court sitting, that he the said Philip Edwards hath, directly or indirectly, sold, conveyed, leased, or otherwise disposed of, or intrusted or concealed, any part of his property of any kind, or any part of his debts, rights or claims, thereby wilfully to deceive or defraud his creditors, or any of them, or to secure the same, or to receive or expect any profit, benefit or advantage thereby, the said court may thereupon examine the said Philip Edwards on interrogatories, on oath, for the discovery of his property, or any concealment thereof, and respecting his conduct touching the same, or the said justices may, in their discretion, direct an issue to be tried in the said court, to determine the truth of any allegation made by the said Philip Edwards; and if the said Philip Edwards shall be found guilty of any wilful fraud or deceit of his creditors, he shall for ever be precluded from having any benefit of this act; and in case the said Philip Edwards shall, at any time within two years as aforesaid, upon any indictment, be convicted of wilfully, falsely and corruptly swearing to any matter or thing in his oath aforesaid contained, he shall suffer as in case of wilful and corrupt perjury, and likewise be liable to his creditors, and be wholly deprived of any relief or benefit by this act.

When fraud is alleged he may be examined, &c.

C H A P. XXXII.

A Further additional supplement to an act, entitled, An act to streighten and amend the several public roads in several counties, and for other purposes.

Passed Jan. 15.

WHEREAS under the act of seventeen hundred and ninety, to which this is a further additional supplement, some omissions have been made in the returns and adoption of the following roads in Montgomery county, to wit: One leading from George-town to Montgomery court-house, and from Montgomery court-house by Benjamin Edwards to the mouth of Monocacy, and one other road from Montgomery court-house by Middle Brook mills to Frederick county line, by which omissions said roads are liable to be stopped; therefore,

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That the above described roads, as adopted, or intended to have been adopted, by the county court of said county, be and the same are hereby confirmed, agreeable to the adoption of said court, as fully and completely as though the same had been done agreeable to the directions of the act aforesaid.

Roads confirmed.

III. AND BE IT ENACTED, That Thomas Howard, Thomas Maccubbin and Benjamin Ray, senior, be and they are hereby appointed commissioners for the purposes herein after mentioned, and they, or any two of them, may and are hereby empowered to appoint a surveyor to survey all such parts of the aforesaid roads which have not heretofore been surveyed, and the plots and courses of the same returned and recorded agreeable to the act to which this is a further additional supplement, and in case of death, resignation, disqualification, or refusal to act of any of the commissioners aforesaid, when such vacancy or vacancies shall happen during the sitting of the levy court, the said court may make other appointments to fill such vacancy or vacancies, and if such vacancy or vacancies shall happen during the recess of the court, then and in that case the senior justice of the peace for the county, with two other justices, shall and are hereby vested with

Commissioners appointed, &c.