

C H A P.
XIII.
not giving in
a just account,
trustees to
bring suit,
&c.

having other effects of his or hers, in his, her or their hands, shall conceal the same, and not deliver a just account thereof to the said trustees by the day appointed by them as aforesaid, it shall and may be lawful, and the said trustees are hereby empowered and required, to bring suits in their own names, as trustees aforesaid, in any court of record in this province, for the recovery thereof, for the use of the creditors aforesaid; which said courts are hereby fully empowered to compel to come before them all such debtors, concealers, and others concerned, and them to examine on oath (if need be) touching the premises, and to commit them if they refuse to be so examined; and the said trustees, or any two of them, are hereby fully empowered to settle and adjust all matters and accounts, that may be subsisting between the said absconding person and his or her debtor or debtors, and also between the said absconding person and his or her creditor or creditors, which settlement and adjustment of accounts shall be in money, and to examine any person or persons upon oath, concerning such accounts and settlements, which oath the said trustees, or any two of them, are hereby empowered and required to administer.

Proviso.

IX. **Provided always, and be it enacted,** That in case any creditor or pretended creditor shall think him or herself aggrieved by the trustees not allowing his claim, or any part thereof, or by their making any discount thereout for any matter claimed in right of the absconding person, and shall appeal to the court from whence such commission issued, such disputed claim or discount shall not be finally determined by the trustees, but referred to the court at the next meeting thereof, and under the direction of that court, an issue shall be framed and trial thereof by jury had thereon, the court shall give final judgment; and the same mode of proceeding shall likewise be had, where at least two thirds in value of the creditors of such absconding person object to the trustees settlement of any claim or account with any creditor or pretended creditor, or to the settlement made by the said trustees of the quantum of any debt or debts due to such absconding person.

Persons discovering concealed effects to be paid a reward.

X. **And be it further enacted, by the authority aforesaid,** That any person or persons (other than those who have the effects in their hands, and other than creditors) who shall discover any effects of the said absconding person so concealed, contrary to the true intent and meaning of this act, so that they be recovered by the said trustees, shall be paid by the said trustees, as a reward for such discovery, such sum as the said trustees, or any two of them, shall think reasonable, not exceeding ten pounds *per centum* on the value of all effects so discovered and recovered.

Trustees, after notice, to make a dividend, &c.

XI. **And be it further enacted,** That the said trustees, or some two of them, shall, within sixty days at farthest from the time of their appointment to the said trust, give public notice in the Maryland gazette, where their commission issued out of the provincial court, or by advertisement set up at the court-house door of the county, where their commission issued out of the county court, that the said trustees are ready to make a dividend among the creditors of the absconding person's estate, and therein desire all the creditors to meet at a certain time and place, in such notice to be mentioned, which shall not be less than one nor more than three months after such notice; at which meeting, or any subsequent meeting necessary for that purpose to be continued by adjournments, when all accounts are fairly stated and adjusted, the said trustees, or any two of them, shall proceed to pay all the creditors what shall appear to them, or any two of them, to be justly due, if there be money sufficient to answer the whole, after all legal charges are deducted, in which payments no preference shall be allowed; and if there be not sufficient to discharge the whole, each creditor shall be abated in proportion to the debt due to him; and if there be any surplus, the same shall be paid unto the said absconding person, or to his or her attorney or attorneys, executors, administrators or assigns. And such trustees, or such of them as shall act, shall render to the court from whence their commission issued, a just and true account upon oath, or affirmation if a Quaker or Quakers, of all their proceedings in the premises, to be filed and kept in the said court, for the satisfaction of all parties concerned; and in
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