

C H A P.
XCVIII

“sary 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 Samuel Turner Dyson 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 Samuel Turner Dyson, 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.

Sheriff appointed trustee, &c.

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 Samuel Turner Dyson; 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 Samuel Turner Dyson, without favour, affection, prejudice or malice.”

If arrested to be discharged, &c.

IV. AND BE IT ENACTED, That if the said Samuel Turner Dyson 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 Samuel Turner Dyson on motion; and if the said Samuel Turner Dyson 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 Samuel Turner Dyson out of custody on his common appearance being entered, without any special bail; provided, that the discharge of the said Samuel Turner Dyson 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 fraud is alleged, he may be examined, &c.

V. AND BE IT ENACTED, That if any creditor of the said Samuel Turner Dyson 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 Samuel Turner Dyson 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 Samuel Turner Dyson 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 Samuel Turner Dyson; and if the said Samuel Turner Dyson 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 Samuel Turner Dyson 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.

Passed 20th of Jun. 1798.

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An additional supplement to the act, (a) entitled, An act for making the river Susquehanna navigable from the line of this state to tide water. Lib. JG. No. 2. fol. 753.

(a) November, 1783, ch. 23.

Preamble.

WHEREAS it hath been represented to this general assembly, by the proprietors of the Susquehanna canal, that at a meeting of the said corporation in the month of March last, an ordinance