

C H A P.
XIV.

sign the said deed, either in person or by attorney, within twelve months from the date of the same: And whereas it also appears that two thirds in value of the creditors of the said Andrew Buchanan, either possess mortgages upon the real property of the said Andrew Buchanan, or have actually signed the said deed of trust, and that there is every reason to believe, from the letters and assurances of the agents of other creditors of the said Andrew Buchanan, that several others of the said creditors, not now residing within the limits of the United States, will, by attorney, sign the said deed; from all which circumstances it appearing to this general assembly reasonable to grant the said Andrew Buchanan relief; therefore,

A. Buchanan
discharged, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That the said Andrew Buchanan be and he is hereby discharged from all debts, promises, contracts, covenants and agreements, due, owing or growing due, incurred, contracted, made or entered into, by him, in his separate capacity, or in partnership of trade, before the date of the said deed, so as aforesaid made in trust to John Hoskins Stone and Walter Dorsey; and that the said deed shall be valid and remain and enure, fully and effectually in law and equity, to all intents and purposes, and to such persons, and on such terms, as are therein described and expressed; provided, that any property which the said Andrew Buchanan has acquired, or shall acquire, by descent, since the date of the said deed, and any property which he has acquired, or shall acquire, since the date of the said deed, in his own right, by devise, bequest, or in a course of distribution, shall be liable to the payment of his said debts; and provided also, that the discharge of the said Andrew Buchanan, in virtue of this act, shall not discharge any person who now is or shall be liable or answerable for him, in any manner whatsoever, for any order, promise, contract, covenant or agreement, due, owing or growing due, incurred, contracted, made or entered into, before the date of the said deed.

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

III. AND BE IT ENACTED, That if any creditor of the said Andrew Buchanan shall, within two years from the passage of this act, allege in writing to the chancellor, or to the general court of the western shore, or the county court of the county where the said Andrew Buchanan shall reside, that he hath, before the date of the said deed, or the passing of this act, directly or indirectly sold, conveyed, assigned, or otherwise disposed of, or purchased in trust for himself, or any of his family or relations, or any other person or persons, intrusted or concealed, any part of his property of any kind, or any part of his debts, rights or claims, thereby to deceive or defraud his creditors, or any of them, or to receive or expect any profit or advantage thereby, or that he has passed bonds, or other evidences of debt, either without consideration, or on improper consideration, or lost more than one hundred pounds current money by gaming at any one time within two years before the passage of this act, the said chancellor, or court respectively, may thereupon, at the election of the creditor making such allegation, either examine the said Andrew Buchanan, and any person or persons, to whom he may have made any conveyance or conveyances of his property; or passed bonds or evidences of debts as aforesaid, on interrogatories, on oath, or affirmation, touching the subject of the said allegations, or direct an issue or issues in a summary way without the form of an action, to determine the truth of the same, and if, upon the answer of the said interrogatories, or the trial of the said issue or issues by a jury, the said Andrew Buchanan shall be found guilty of any fraud or deceit of his creditors, or loss by gaming as aforesaid, he shall be for ever precluded from any benefit of this act; and in case the said Andrew Buchanan, or other person, shall, at any time hereafter, upon any indictment, be convicted of wilfully, falsely and corruptly swearing or affirming to any matter or thing to which he shall swear, or affirm, by virtue of this act, he shall suffer as in the case of wilful and corrupt perjury, and be for ever debarred from any benefit of this act; provided, that the sale of stock and plantation utensils, and seventeen bushels of sowing rye, by the trustees in the said deed to Lloyd Buchanan, brother of the said Andrew, and for his use, shall not be considered as a sale contrary to the provisions of this act.

And if arrested
may be dis-
charged, &c.

IV. AND BE IT ENACTED, That if the said Andrew Buchanan shall have been 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 passage of this act, the court out of which the process issued shall and may discharge the said Andrew Buchanan on motion; and if he shall have been arrested or imprisoned on any process for the recovery of any debt, damages or costs, contracted, owing, or due before the passing of this act, the court before whom such process shall be returned shall and may discharge the said Andrew Buchanan out of custody on common bail; provided, that the discharge of the said Andrew Buchanan 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.

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