

370.  
1794.  
C H A P.  
LXXI.

and imported from and to the town of Baltimore, passed November session, seventeen hundred and eighty-six, and the supplement thereto, passed November session, seventeen hundred and ninety, shall be and are hereby revived and continued until the thirtieth day of January, seventeen hundred and ninety-eight.

C H A P. LXXII.

An ACT for the relief of fundry insolvent debtors.

Passed December 27.

Preamble.

**W**HEREAS William Prentiss, William Wood, Philip Heide and Andrew Supplee, of Baltimore county, and Henry Hill, junior, of Prince-George's county, Peregrine F. Bayard and Thomas Pearce, of Cæcil county, Thomas Bond, of Saint-Mary's county, George Little and Gittings Gover, of Harford county, Thomas Wootton, of Queen-Anne's county, Edward Penn, of Montgomery county, John Addison and William Brawner, junior, of Charles county, William Foxcroft and Benjamin Harrison, of Anne-Arundel county, John Nabb and Samuel Foudray, of Talbot county, John Sotheren, of Queen-Anne's county, Robert Randall and Samuel Wilson, of Harford county, Benjamin Davis Penn, Samuel Darley, Sarah Beall and Henry Carlisle, of Montgomery county, Richard Burges, of Allegany county, Richard Yates, of Baltimore county, Samuel Webb, of Harford county, James B. Lovells, of Baltimore county, and John Ward, of Caroline county, and Gavin Hamilton Smith, of Calvert county, by their petitions to this general assembly have set forth, that by reason of many misfortunes they are unable wholly to satisfy their creditors, and have prayed that they may be discharged, upon their delivering up all their property for the use of their creditors; and the prayer of the said petitioners being found reasonable; therefore,

Chancellor, on application, to direct notice to be given, &c.

II. *Be it enacted, by the General Assembly of Maryland,* That on application of either of the said debtors to the chancellor, by petition in writing, offering to deliver to the use of his or her creditors all his or her property, real, personal or mixed, to which he or she is any way entitled, a schedule whereof, (on oath, or affirmation, as the case may require,) together with a list of the creditors of the person so applying, on oath or affirmation, as far as he or she can ascertain them, shall be annexed to such petition, the chancellor shall, in his discretion, either direct personal notice of such application to be given to the creditors, or so many of them as can be served therewith, or their agents or attornies, or direct notice of such application to be inserted in the public news-papers for such time as he shall think proper, which, in case of there being a creditor or creditors beyond sea, shall not be less than six months, and on their appearance, or neglect to appear on notice, at the time or times and place appointed, the chancellor shall administer to the petitioning debtor the following oath, or affirmation, as the case may require: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, that I will deliver up, convey and transfer, to my creditors, in such manner as the chancellor shall direct, all my property, that I have or claim any title to or interest in, at this time, and all debts, rights and claims, which I have, or am any way entitled to, in possession, reversion or remainder, and that I have not, directly or indirectly, at any time, sold, conveyed, lessened or disposed of, for the use or benefit of any person or persons, or intrusted, any part of my money, or other property, debts, rights or claims, thereby to defraud my creditors, or any of them, or to secure the same to receive or expect any profit, benefit or advantage thereby;" and the chancellor shall thereupon name such person as a majority of the creditors in value, their agents or attornies, then present, shall recommend, to be a trustee for the benefit of the creditors of the petitioning debtor, or in case of non-attendance of the creditors, or of their not making a recommendation, the chancellor shall name such person as he shall think proper, to be a trustee as aforesaid.

Trustee to give bond, &c.

III. *And be it enacted,* That before such trustee proceeds to act, he shall give bond for the faithful performance of his duty, to such person, in trust for the creditors of said petitioning debtor, and in such penalty as the chancellor shall direct, which shall be recorded in the office of the register of the court of chancery, and a copy thereof, certified under the hand of the said register, shall be