

Christian Krause, Richard Bevan, Casper Kline, William Askew, George Deagan, William Russell, Henry Deagan, Lewis Bernard, Greenbury Neale, William H. Buell, John Brice, Walter S. Hunt, William Stonall, Matthew Clarke, Archibald Campbell, David Lund, William Smith, Thomas Bulley, Nathan Cregg Bryson, Robert Kent, John Chalabre, William Delafere and James Kerr, of the city of Baltimore; Jonas M'Pherson, James M'Cardell and Richard Burrell, of Washington county; John Yates, Robert E. Yates, William Robertson, William Frazer, John N. Lovejoy, Bernard O'Neill, Edward Eno, John G. Hobbs, Evan Belt, John Fleming, John Long, Jonathan Browning, junior, Thomas Lingan, Thomas Nicholls, of John, Samuel Williams, William Smith and Joseph Beck, of Montgomery county; Abel Sarjent, Samuel Selby, 3d, Peter D'Evecmon and William W. Hoyer, of Allegany county; William Cranch, Thomas Y. Sprogell and Samuel Baker, of the city of Washington; 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,

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 creditors all his property, real, personal or mixed, to which he 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 can ascertain them, shall be annexed to such petition, the chancellor shall direct personal notice of such application to be given to the creditors, or to as many of them as can be served therewith, or their agents or attorneys, or direct notice of such application to be inserted in the public news-papers for such time as he may 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, remainder or reversion, 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 attorneys, then present, shall recommend, to be a trustee for the benefit of the creditors of the petitioning debtor, or in case of the 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.

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

III. AND BE IT ENACTED, That no person herein before mentioned shall be entitled to the benefit of any of the provisions of this act, unless the chancellor shall be satisfied, by competent testimony, that he is, and at the time of passing this act was, a citizen of the United States, and of this state, and unless, at the time of presenting his petition as aforesaid, he shall produce to the chancellor the assent, in writing, of so many of his creditors as have due to them the amount of two thirds of the debts due by him at the time of the passing of this act; provided, that foreign creditors not residing in the United States, and not having agents or attorneys residing therein, duly empowered to act in their behalf, shall not be considered within the intent and meaning of this clause; and provided also, that the chancellor may, without the assent of the creditors as aforesaid, from time to time, order to be discharged from custody, any of the said petitioners who may be in actual confinement in virtue of any process issued, or that may be issued, in pursuance of any debt at this time due and owing by him, which discharge is hereby declared to be a release only of the person of such debtor, but not of his property, unless the assent in writing of two thirds in value of the creditors as aforesaid be obtained.

None to be entitled but citizens, &c.

IV. 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 chancery, and a copy thereof, certified under the hand of the said register, shall be good evidence in any court of law or equity of this state; and if any trustee appointed by virtue of this act shall refuse to act, or die, or neglect to give bond as aforesaid in a reasonable time, to be judged of by the chancellor, or be removed by the chancellor for misbehaviour, he shall appoint such other

Trustee to give bond, &c.