

if any complaint shall be made to the chancellor of the conduct of any trustee, by any creditor interested in the distribution of any estate, or if any trustee hath or shall become insolvent, the chancellor may call such trustee before him, and inquire into the cause of complaint in a summary way, and make such rules and orders as shall be judged necessary for the accomplishment of the object of the trust, and punish the said trustee, as for a contempt, in case of his not obeying the same, and, if he thinks it necessary, he may remove the said trustee, and appoint another person in his place.

XI. AND BE IT ENACTED, That if any debtor, who shall petition the chancellor in virtue of this act, shall be imprisoned at the time of exhibiting such petition, it shall be lawful for the chancellor to order the sheriff in whose custody he shall be, to bring him before him, at a certain time by him in the said order to be appointed, for the purpose of taking the oath or affirmation herein before mentioned; and the said sheriff shall obey the said order, and shall be entitled to a preference, after the discharge of all liens on the said debtor's estate, to all other creditors, in the payment of his account against the said debtor for legal fees of imprisonment, and his reasonable expences in carrying the said debtor to the chancellor in obedience to his order as aforesaid, any thing in this act to the contrary notwithstanding; and in case such imprisoned debtor shall have any creditors beyond sea, the chancellor may, in his discretion, order the sheriff to bring the said debtor before him at such time as he thinks proper, and on his taking the oath herein before mentioned, may direct that the body of such debtor shall be discharged from imprisonment, and appoint a time when such debtor shall appear before him to answer any interrogatories which his creditors may propose to him, on not less than six months notice as aforesaid, any thing in this act to the contrary notwithstanding; provided, that such discharge from imprisonment shall not operate as a discharge of any of the debts of the said imprisoned debtor; and provided, that the said imprisoned debtors, at the time of their discharge, if required by the chancellor, shall enter into bond, with such penalty, and with security, as the chancellor shall direct and approve, conditioned for the personal appearance at such time or times as the said chancellor shall direct, to answer the allegations of their creditor or creditors, according to the provisions aforesaid; and if the said debtors shall not enter into bond as aforesaid, if required by the chancellor, then such debtors shall remain in confinement until their application, (if objected to,) shall be decided on.

Chancellor may order debtors to be brought before him, &c.

XII. AND BE IT ENACTED, That in case any person named in this act may be imprisoned in any gaol on the eastern shore, or in Allegany county, it shall be lawful for the judge of the district, or any associate justice of the county, on the application of such person, at any time before the first day of September next, to order the sheriff in whose custody he may be, to bring the said person immediately before him for the purpose of taking the oath or affirmation, if required, for delivering up his property to his creditors; and if the said person, so brought before the judge or justice, shall produce a petition to the chancellor, with a schedule of his whole property, and a list of his creditors, on oath, as herein required, thereto annexed, and also the assent of two thirds of his creditors, and shall, before the said judge or justice, take the oath required for delivering up his property for the use of his creditors, it shall be lawful for the said judge or justice to order that the said person be discharged from imprisonment, and appear before the chancellor within three months from the time of such discharge; and if such order shall be made, the said judge or justice shall transmit the said petition, and assent of his creditors in writing as aforesaid, with the schedule and list on oath as aforesaid, annexed, to the chancellor; provided nevertheless, that if the said person, so discharged from imprisonment, shall not appear before the chancellor agreeably to the said order, it shall be lawful for any judge or justice, on application of the party at whose suit the said person was imprisoned, and on his producing a certificate from the register in chancery, that such person hath not appeared before the chancellor, agreeably to the said order, to remand the said person to the prison from which he was discharged, there to remain until discharged by a due course of law; and provided always, that if any creditor of any petitioning debtor in any of the gaols on the eastern shore, or in Allegany county, shall require security of the petitioner, that the judge or justice aforesaid shall not release any petitioner until he or they shall give such security as the judge or justice shall require, for his appearance before the chancellor within three months from the date of his discharge as aforesaid; provided nevertheless, that as to all and every person or persons included in this act, who have been engaged in trade or merchandise, it shall not be necessary for them, or either of them, to procure the assent of their creditors, or any part of them as aforesaid, but if so many of his or their creditors as have due to them the amount of one fourth of the debts due by him or them at the time of passing this act, shall not lodge with the chancellor their dissent in writing to such debtor or debtors being admitted to the benefit of this act, on or before the expiration of six months after the said notice shall be given or published as aforesaid, such debtor or debtors shall be entitled to all and every benefit of this act, in as full and ample manner as if such debtor or debtors had procured the assent of two thirds

Judge, &c. on E. shore may order the sheriff, &c.