SENATE, December 10th, Вy

ESOLVED, That Frederick Green, printer to the state, be directed to print, with the laws of this fession, the act of congress, entitled, An act to establish an uniform system of bankruptcy throughout the United States.

By order,

W. S. GREEN, clk.

By the House of Delegates, December 10, 1800: Read the first and second time by especial order and assented to. -

By order,

W. HARWOOD, clk.

An ACT to establish an uniform system of bankruptcy throughout the United States.

bankrupt, &c.

Who may be a Sec. 1. DE it enasted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of June next, if any merchant, or other person, residing within the United States, actually using the trade of merchandise, by buying and felling in gross, or by retail, or dealing in exchange, or as a banker, broker, factor, underwriter, or marine infurer, shall, with intent unlawfully to delay or defraud his or her creditors, depart from the state in which such person usually resides, or remain absent therefrom, or conceal him or herself therein, or keep his or her house, so that he or she cannot be taken, or served with process, or willingly or fraudulently procure him or herself to be arrested, or his or her lands, goods, money or chattels to be attached, sequestered, or taken in execution, or shall secretly convey his or her goods out of his or her house, or conceal them to prevent their being taken in execution, or make, or cause to be made, any fraudulent conveyance of his or her lands, or chattels, or make or admit any false or fraudulent security, or evidence of debt, or being arrested for debt, or having surrendered him or herself in discharge of bail, shall remain in prison two months, or more, or escape therefrom, or whose lands or effects being attached by process issuing out of, or returnable to, any court of common law, shall not, within two months after written notice thereof, enter special bail and dissolve the same, or in districts in which attachments are not dissolved by the entry of special bail, being arrested for debt after his or her lands and effects, or any part thereof, have been attached for a debt or debts amounting to one thousand dollars or upwards, shall not, upon notice of such attachment, give sufficient security for the payment of what may be recovered in the suit in which he, or she, shall be arrested, at or before the return day of the same, to be approved by the judge of the district, or some judge of the court out of which the process issued, upon which he is arrested, or to which the same shall be returnable, every such person shall be deemed and adjudged a bankrupt: Provided, that no person shall be liable to a commission of bankruptcy, if the petition be not preferred, in manner herein after directed, within fix months after the act of bankruptcy committed.

Proceedings to obtain a commission of bankruptey.

Sec. 2. And be it further enacted, That the judge of the district court of the United States, for the district where the debtor resides, or usually resided at the time of committing the act of bankruptcy, upon petition, in writing, against such person or persons being bankrupt, to him to be exhibited by any one creditor, or by a greater number, being partners, whose single debt shall amount to one thousand dollars, or by two creditors, whose debts shall amount to one thousand five hundred dollars, or by more than two creditors, whose debts shall amount to two thousand dollars, shall have power, by commission under his hand and seal, to appoint such good and substantial persons, being citizens of the United States, and refident in fuch district, as such judge shall deem proper, not exceeding three, to be commissioners of the said bankrupt, and in case of vacancy or resusal to act, to appoint others from time to time as occasion may require: Provided always, that before any commission shall issue, the creditor or creditors petitioning shall make assidavit or solemn assirmation before the faid judge, of the truth of his, her, or their debts, and give bond, to be taken by the faid judge, in the name, and for the benefit of the faid party so charged as a bankrupt, and in such penalty, and with fuch furety as he shall require, to be conditioned for the proving of his, her or