

C H A P.
XI.

David C. Stewart, Lloyd Buchanan and William P. Stewart, shall then and there before the said court, or judge, make and subscribe the following oath, or affirmation, to wit: "We, David C. Stewart, Lloyd Buchanan and William P. Stewart, do swear, (or solemnly, sincerely and truly affirm and declare,) that we will deliver up, convey and transfer, to our creditors, in such manner as the county court of Baltimore, (or judge, as the case may be,) shall direct, all our property, which we have or claim any title to, or interest in, at this time, and all debts, rights and claims, which we have or are any way entitled to, in possession, remainder or reversion, and that we have not, directly or indirectly, any time sold, conveyed, lessened or disposed of, disposed of for the use or benefit of any person or persons, or intrusted, any part of our money, or other property, debts, rights or claims, thereby to defraud our creditors, or any of them, or to secure the same, or receive or expect any profit, benefit or advantage thereby," the said court, or judge, as the case may be, shall thereupon direct that the bodies of the said David C. Stewart and Lloyd Buchanan shall be discharged from the custody of the said sheriff; and the said court, or judge, as the case may be, shall name such person as a majority of the creditors of the said David C. Stewart, Lloyd Buchanan and William P. Stewart, or their agents or attorneys, shall recommend, to be the trustee for the benefit of the creditors of the said David C. Stewart, Lloyd Buchanan and William P. Stewart; and in case no recommendation as aforesaid shall be made by the said creditors, their agents or attorneys, the said court, or judge, as the case may be, shall nominate and appoint such persons as the said court, or judge, shall think proper, to be 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 the said petitioning debtors, and in such penalty as the said court, or judge as aforesaid, shall direct, which shall be recorded in Baltimore county court, and a copy thereof, certified under the hand of the clerk of the said court, 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 said court, or judge as aforesaid, or be removed for misbehaviour, the said court, or judge as aforesaid, shall appoint such other person as the said court, or judge as aforesaid, shall think proper, in his place, who shall give bond as aforesaid, and on giving such bond, in case the said David C. Stewart, Lloyd Buchanan and William P. Stewart, had conveyed their property to the former trustee, he shall be immediately vested with all the property, of every kind, and all debts, rights and credits, of the said David C. Stewart, Lloyd Buchanan and William P. Stewart, as completely as the former trustee was vested with the same.

On executing a
deed to be dis-
charged, &c.

IV. AND BE IT ENACTED, That upon the executing and acknowledging a deed by the said David C. Stewart, Lloyd Buchanan and William P. Stewart, to the trustee to be appointed as aforesaid, conveying all their property, real, personal and mixed, and all debts and claims, agreeably to the oath or affirmation as aforesaid, and on their delivery to the said trustee all the said property which they shall have in possession, and their books, papers and evidences of debts of every kind, and the said trustee certifying the same, in writing, to the said court, it shall be lawful for the said court to order that the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall be discharged from all debts, covenants, contracts, promises and agreements, due from, or owing or contracted by, them, as partners in trade as aforesaid, before the first day of May, in the year of our Lord one thousand eight hundred and six, and by virtue of such order the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall be discharged as aforesaid; provided, that if the said David C. Stewart, Lloyd Buchanan and William P. Stewart, have been guilty of a breach of the laws, and have been fined, or are liable to be fined, for such breach, they shall not be discharged from payment of any fine incurred for any breach of the laws of this state; and provided, that any property which they, or either of them, shall thereafter acquire by gift, descent, or in their or either of their own right by bequest, devise, or in any course of distribution, shall be liable to the payment of their said debts; and provided, that the discharge of the said David C. Stewart, Lloyd Buchanan and William P. Stewart, shall not operate so as to discharge any other person from any debt.

To retain their
wearing appa-
rel, &c.

V. AND BE IT ENACTED, That the said court may allow the said David C. Stewart, Lloyd Buchanan and William P. Stewart, to retain the wearing apparel of themselves and families.

Trustee may be
directed to sell,
&c.

VI. AND BE IT ENACTED, That the said court may direct any trustee, to be appointed by virtue of this act, to sell and convey the property conveyed to him by the said David C. Stewart, Lloyd Buchanan and William P. Stewart, at such time, and on such terms and conditions, as he shall think most advantageous for the creditors, and the proceeds thereof, after satisfying all incumbrances and liens, shall be divided among the said creditors, agreeably to their several and respective claims, but no judgment to be rendered after the passage of this act against the said David C. Stewart,