

1812.

CHAPTER 77.

Passed Dec.
16, 1812.

*A further additional supplement to the act entitled
“ An act for the relief of sundry insolvent debtors.”*

Deeds, conveyances, &c. made with an intent of becoming insolvent made void—in whom such property shall vest.

SEC. 1 BE IT ENACTED by the General Assembly of Maryland, That all deeds, conveyances, transfers, assignments or sales of any property, real, personal or mixed, or of any debts, rights or claims, to any creditor or creditors, security or securities which shall hereafter be made by any person with a view, or under an expectation of being or becoming an insolvent debtor and with an intent thereby to give an under and improper preference to such creditor or creditors, security or securities, shall be absolutely null and void, and the title to property or claims so attempted to be conveyed, transferred, assigned or sold, shall vest in the trustee or trustees of such insolvent debtors, as effectually as any property specified in the schedule of such insolvent.

Creditors assenting that debtors shall obtain the benefit of insolvent law shall make affidavit, &c.

2. AND BE IT ENACTED, That any creditor of an insolvent debtor who assents that such insolvent debtor shall obtain the benefit of the insolvent law, shall make affidavit, or affirmation, (as the case may be) that the said debtor is *bona-fide* indebted to him in the sum claimed as due, and that he has received no security or satisfaction for the same or any part thereof, before some justice of the peace of this state, or notary public residing in the United States; and without such affidavit or affirmation annexed to the assent aforesaid, such creditor shall not be included among the assenting creditors.

Who shall be entitled to a personal release.

3. AND BE IT ENACTED, That any debtor who shall petition for the benefit of the insolvent laws, and shall comply with all the terms and conditions of such laws, except obtaining the assent of two thirds of his creditors in amount, shall be entitled to a personal release, except in case where interrogatories or allegations have been filed, and have not been satisfactorily answered and decided in favor of such debtor, which release shall be a good and effectual discharge of the person from all arrests on mesne or execution process, on account of any debt or contract incurred or entered into by such insolvent debtor before his application: *Provided*, Such debtor shall at the time of his arrest on mesne process, execute a warrant of attorney, authorising some attorney to appear for him in the court to which such process is returnable.

Proviso.