

CHAP. 84.

CHAP. LXXXIV.

Passed Jan 24 1820
All applications
for benefit of in-
solvent laws to be
made to commis-
sioners, &c

A Supplement to an act, entitled, An act relating to Insolvent Debtors in the City and County of Baltimore.

1. *Be it enacted, by the General Assembly of Maryland,* That all applications by any person or persons residing in the city or county of Baltimore, for the benefit of the insolvent laws of this state, shall hereafter be made to the commissioners of insolvent debtors for the city and county of Baltimore, appointed in virtue of the act to which this is a supplement, or to either of them, instead of being made to Baltimore county court, or the judges thereof; and the said commissioners are hereby authorised and empowered, to administer to the applicant the oath directed to be taken by the said insolvent laws, and they, and each of them, are hereby vested with all the powers of Baltimore county court, or the judges thereof, in relation to such application, and shall grant a personal discharge to such applicant in the same manner as Baltimore county court, or any judge thereof, is directed by the second section of the act to which this is a supplement, and they shall fix the time for the final hearing before Baltimore county court; and if upon the examination directed to be made by the said act, it shall appear that the said applicant hath complied with the terms and conditions of the said insolvent laws, and hath acted fairly and *bona fide*, it shall be the duty of the said commissioners to report the same to Baltimore county court, in the manner directed by the fifth section of the act to which this is a supplement, and the said court shall proceed thereon as directed by the said section; and if it shall appear to the said commissioners that the said applicant hath not complied with the terms and conditions of the said insolvent laws, and hath not acted fairly and *bona fide*, it shall be the duty of the said commissioners to certify the same to Baltimore county court.

Persons obtaining
a personal dis-
charge and not ob-
taining a final one,
&c

2. *And be it enacted,* That if any person or persons, being arrested on a writ of *capias ad respondendum* (issued against him, her or them,) shall obtain a personal discharge from the said commissioners according to the provisions of the insolvent laws, and such person or persons shall not obtain a final discharge under such laws, then and in every such case, if any suit or action shall or may be depending against such person or persons, in which his, her or their common appearance had been entered, it shall and may be lawful for the plaintiff or plaintiffs therein, or his, her, or their attorney, in cases where special bail is demandable by law, to issue forth, out of the court in which the suit or action shall or may be depending, another writ of *capias ad respondendum* or other process, against the said defendant or defendants, stating therein that he, she or they, had obtained a personal discharge, but had been refused a final discharge under the said insolvent laws; and it shall and may be lawful for the sheriff, or other officer, to whom the said writ shall be directed and delivered, to arrest and take the body of the defendant or defendants, and him, her, or them, safely keep, until he, she or they, shall give special bail in such suit or action, and there shall be the same proceedings on such new writ or process as if the said original writ had never been issued, or could have been had on the said original writ in case the personal discharge had never been granted.

No applicant who
has obtained a
personal discharge

3. *And be it enacted,* That no applicant who shall have obtained a personal discharge from arrest upon any writ of *capias ad res-*