

"And be it enacted, That if the said debtors, or any of them, shall be arrested or imprisoned on any process sued out on any judgment or decree obtained against them, or any of them, for any debt, damages or costs, contracted, owing, or growing due before the passing of this act, the court out of which such process issued, shall and may discharge such debtor, on motion; and if the said debtors, or any of them, shall be arrested or imprisoned on any process for the recovery of any debt, damages or costs, contracted, owing, or growing due before the passing of this act, the court, before whom such process shall be returned, shall and may discharge such debtor or debtors out of custody, on his common appearance being returned, without any special bail; provided, that the discharge of such debtor or debtors shall not acquit any other person from such debt, damages or costs, or any part thereof, but that all such persons shall be answerable for the same, in such manner as they were before the passing this act.

"And be it enacted, That all proceedings in chancery, under this act, shall be recorded by the register, who shall be entitled to the same fees as are fixed by law for services in other cases.

"And be it enacted, That in all appointments of trustees under this act, by the chancellor, in the room of any person before appointed, the chancellor shall consult the creditors, and govern himself by the choice of a majority of them in value, unless upon notice being given by public advertisement, or in such other manner as he shall think reasonable, the said creditors shall neglect to make such choice."

In the 7th page, after the word "Hammond," at the end of the 3d line from the bottom, insert "to be." In the same page, after the word "by," in the 2d line from the bottom, insert "virtue of." In the 8th page, 8th line, strike out "orphans court of Anne-Arundel county," and insert "chancellor." In the same page, 10th line, strike out "judges of the orphans court," and insert "chancellor." In the 9th page, 1st line, strike out "judges of the orphans court," and insert "chancellor."

The senate adjourns till to-morrow morning 10 o'clock.

T U E S D A Y, December 20, 1791.

**T**HE senate met. Present the same members as on yesterday. The proceedings of yesterday were read.

The president communicates to the senate a petition from Susanna Towson, of Baltimore-town, respecting certain property belonging to her daughters Eleanor and Charlotte Frazier; which was read and referred to the consideration of the next session of assembly.

The bill for the relief of sundry insolvent debtors, was sent to the house of delegates by the clerk of the senate.

Agreeably to the order of the day, the bill, entitled, An act to lay out certain roads in Anne-Arundel and Montgomery counties, was read the second time, and the question was put, That the said bill do pass? And the yeas and nays being called for, appeared as follow:

A F F I R M A T I V E.

The honourable William Tilghman, William Perry, William Hindman, John Eager Howard, James Hollyday, Charles Carroll, of Carrollton, and James M<sup>c</sup>Henry, Esquires.

N E G A T I V E.

The honourable William Smallwood, Esquire, president, the honourable Benjamin Stoddert, George Dent and Brice T. B. Worthington, Esquires.

So it was determined in the affirmative, and the bill sent to the house of delegates by the clerk of the senate.

On motion, ORDERED, That Benjamin Stoddert, William Tilghman, George Dent, Charles Carroll, of Carrollton, and James M<sup>c</sup>Henry, Esquires, be a committee to prepare and bring in a bill, entitled, A supplement to the act directing the time, places and manner, of holding elections for representatives of this state in the congress of the United States, and for appointing electors on the part of this state for choosing a president and vice-president of the United States, and for the regulation of the said elections.

The bill, entitled, A further supplement to the act, entitled, An act to enlarge the powers of the high court of chancery, was read the second time by especial order and will pass with the proposed amendments.

Amendments proposed. At the end of the bill insert as follows: "And whereas infants, idiots, lunatics, and persons who are not of sound mind, seized of lands, tenements or hereditaments, may be compelled to convey the same, by decree of the court of chancery, for a specific performance of agreements made by the persons under whom they claim, provided application be made to the chancellor by the parties entitled to a conveyance, but there is no legal provision for such a decree as the circumstances of the case may require, upon application made by the representatives or persons interested in the estate of the person who makes a contract for the sale of his lands; Be it enacted, That if any person, seized of any land, tenement or hereditament, hath made, or shall make, a contract for the sale and conveyance thereof, and hath died or shall die without performing his part of the agreement, having devised or left the said land, tenement or hereditament, to descend to a person under twenty-one years of age, or to an idiot, lunatic, or person non compos mentis, in any such case the chancellor, on application by bill or petition of any representative of the deceased interested immediately in having such agreement specifically performed, and on hearing all parties concerned, shall have full power to decree a specific performance, and to direct a conveyance by trustee or guardian, or to decree otherwise, as justice and the established principles of chancery shall require; provided nevertheless,