

The clerk of the senate delivers the bill to lay out certain roads in Anne-Arundel and Montgomery counties, endorsed; "By the senate, December 6, 1791: Read the first time and ordered to lie on the table.

"By order, H. RIDGELY, clk.

"By the senate, December 20, 1791: Read the second time and will pass.

"By order, H. RIDGELY, clk."

Ordered to be engrossed.

And the bill for the relief of sundry insolvent debtors, endorsed; "By the senate, December 10, 1791: Read the first time and ordered to lie on the table.

"By order, H. RIDGELY, clk.

"By the senate, December 19, 1791: Read the second time and will pass with the proposed amendments.

"By order, H. RIDGELY, clk."

Amendments proposed. First page, 6th line, after the name "William Hammond," insert "Samuel Sterett." Strike out from the beginning of the enacting clause in the second page to the word "act" inclusive in the 2d line of the 6th page, and insert as follows: "Be it enacted, by the general assembly of Maryland, That on application of either of the said debtors to the chancellor, by petition in writing, offering to deliver up to the use of his creditors all his property, real, personal or mixed, to which he is any way entitled, a schedule whereof (on oath, or affirmation, as the case may require) together with a list of the creditors of the person so applying, on oath or affirmation, as far as he can ascertain them, shall be annexed to such petition, the chancellor shall, in his discretion, either direct personal notice of such application to be given to the creditors, or so many of them as can be served therewith, or their agents or attorneys, or direct notice of such application to be inserted in the public news-papers for such time as he shall think proper, which, in case of there being a creditor or creditors beyond sea, shall not be less than six months, and on their appearance, or neglect to appear on notice, at the time or times and place appointed, the chancellor shall administer to the petitioning debtor the following oath, or affirmation, as the case may require: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, that I will deliver up, convey and transfer, to my creditors, in such manner as the chancellor shall direct, all my property that I have, or claim any title to or interest in, at this time, and all debts, rights and claims, which I have, or am in any way entitled to, in possession, reversion or remainder, and that I have not, directly or indirectly, at any time, sold, conveyed, lessened or disposed of, for the use or benefit of any person or persons, or intrusted any part of my money or other property, debts, rights or claims, thereby to defraud my creditors, or any of them, or to secure the same, or to receive or expect any profit, benefit or advantage, thereby;" and the chancellor shall thereupon name such person as a majority of the creditors in value, their agents or attorneys, then present, shall recommend, to be a trustee for the benefit of the creditors of the petitioning debtor, or in case of the non-attendance of the creditors, or of their not making a recommendation, the chancellor shall name such person as he shall think proper, to be a trustee as aforesaid.

"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 debtor, and in such penalty as the chancellor shall direct, which shall be recorded in the office of the register of the court of chancery, and a copy thereof, certified under the hand of the said register, 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 chancellor, or be removed by the chancellor for misbehaviour, he shall appoint such other person as he shall think proper in his place, who shall give bond as aforesaid, and on giving such bond (in case the said debtor had conveyed his property to the former trustee) he shall immediately be vested with all the property of every kind, and all the debts, rights and credits, of the said debtor, as completely as the former trustee was vested with the same.

"And be it enacted, That upon the said petitioning debtor's executing and acknowledging a deed to the trustee, to be appointed as aforesaid, conveying all his property, real, personal and mixed, and all debts, rights and claims, agreeably to the oath or affirmation of such debtor as aforesaid, and on his delivery to the said trustee of all his said property which he shall have in possession, and of his books, papers, and evidences of debts of every kind, and the said trustee's certifying the same, in writing, to the chancellor, it shall be lawful for the chancellor to order that the said debtor shall be discharged from all debts, covenants, contracts, promises and agreements, due from, or owing or contracted by, him, before the date of the said deed, and by virtue of such order the said debtor shall be discharged as aforesaid; provided, that any property which he shall thereafter acquire by descent, or in his own right by bequest, devise, or in a course of distribution, shall be liable to the payment of the said debts; and provided, that the discharge of such debtor shall not operate so as to discharge any other person from any debts.

"And be it enacted, That the chancellor may allow any such petitioning debtor to retain the necessary wearing apparel of himself and his family.

"And be it enacted, That the chancellor may direct any trustee to be appointed by virtue of this act, to sell and convey the property conveyed to him by the petitioning debtor, at such time and on such terms and conditions as he shall think most for the advantage of the creditors, and the produce thereof, after satisfying all incumbrances and liens, shall be divided amongst the said creditors agreeably to their several and respective claims; but no judgment to be rendered after the passage of this act, against any of the said debtors who shall take advantage of this act, shall be a lien on his real property;