

CHAP. 64. Richard Gittings and Lambert Smith shall be discharged as aforesaid; *Provided*, that if the said Richard Gittings and Lambert Smith 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 the payment of any fine incurred for any breach of the laws of this state; *And provided*, that any property which they shall thereafter acquire, by gift, descent, or in his 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 Richard Gittings and Lambert Smith shall not operate so as to discharge any other person for any debt.

Proviso.

Wearing apparel may be retained.

5. AND BE IT ENACTED, That the said court may allow such petitioning debtors to retain the wearing apparel of themselves and families.

Court may direct trustee to sell and convey property.

6. 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 petitioning debtors, 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 Richard Gittings and Lambert Smith shall be a lien on their real and personal property, nor shall any process against their real or personal property have any effect thereon, except writs of *feri facias* actually and *bona fide* laid before the passage of this act.

Trustees commission, &c.

7. AND BE IT ENACTED. That the said court may allow any trustee to be appointed by virtue of this act such commission for his trouble as they shall think reasonable, not exceeding eight *per centum*; and if any complaint shall be made to the said court of the conduct of any trustee, by any creditor interested in the distribution of any estate, the said court may call such trustee before them, and inquire into the cause of complaint in a summary way, and make such rules and orders as shall be judged necessary for the accomplishment of the object of the trust, and punish the said trustee as for a contempt, in case of his not obeying the same, and if the said court think it necessary, they may remove said trustee, and appoint another person in his place.

If arrested on any process sued out before the passage of this act, court may discharge them on motion.

8. AND BE IT ENACTED. That if the said Richard Gittings and Lambert Smith shall be arrested or imprisoned on any process sued out on any judgment or decree against him or them for any debt, damages or costs, contracted, owing or growing due, in virtue of the aforesaid copartnership, before the passage of this act, the court out of which such process issued shall and may discharge the said Richard Gittings and Lambert Smith on motion; and if the said Richard Gittings and Lambert Smith shall be arrested or imprisoned on any process for the recovery of any debt, damages or costs, contracted, owing or growing due, in virtue of the copartnership aforesaid, before the passage of this act, the court before whom such process shall be returnable shall and may discharge the said Richard Gittings and Lambert Smith out of custody, on his or their common appearance being entered, without any special bail; *Provided*, that the discharge of the said Richard Gittings and Lambert Smith shall not acquit any other person from such debt, dama-

Proviso.