

as they 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.

On executing a deed debtor to be discharged, &c.

5. AND BE IT ENACTED, That upon the said petitioning debtor's executing and acknowledging a deed (g) to the trustee to be appointed as aforesaid, which deed is hereby directed to be recorded within the time limited by law, conveying all his property, real, personal and mixed, and all debts, rights and claims, agreeable to the oath or affirmation of such debtor as aforesaid, and on his delivery to the said trustee all his said property which he shall have in possession, and of his books, papers, and evidence of debts of every kind, and the said trustee's certifying the same in writing to the county court, it shall be lawful for the county court to order that the said debtor shall be discharged, as well from all debts, covenants, contracts, promises and agreements, due from, or owing or contracted in his individual, as also in a copartnership capacity, by him, before the passage of this act, or at the time of his application to the county court for the benefit of this act, and by virtue of such order the said debtor shall be discharged as aforesaid; *Provided*, that no person who has been guilty of a breach of the law, and hath been fined, or is liable to be fined for such breach, shall be discharged from the payment of any fine incurred for any breach of the laws of this state (h); *And provided* that any property which he shall hereafter 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 the said debts; *And provided also*, that the discharge of such debtor shall not operate so as to discharge any other person from any debt.

Apparel.

- (g) By 1808, ch. 71, s. 3, and November 1812, ch. 77, s. 6; the appointment of a trustee operates as an assignment of all the insolvent's property, so as to vest the title in the trustee, without the necessity of a deed.
- (h) By November 1812, ch. 77, s. 4, no person shall be entitled to the benefit of this act oftener than once in two years; nor to a final release after the first without paying over, or conveying to his trustee, estate sufficient to pay a certain per cent. of his debts at the time of such after application. Not to prevent the right to a personal release.

Debtor to retain apparel, &c.

6. AND BE IT ENACTED, That the county court may allow such petitioning debtor to retain the necessary wearing apparel and bedding of himself and family.

Trustee may be directed to sell, &c. and satisfy judgments, &c.

7. AND BE IT ENACTED, That the county 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 debtor, at such time, and on such terms and conditions, as they shall think most for the advantage of the creditors, and the produce thereof, after satisfying all judgments, incumbrances and liens, shall be divided among the said creditors, agreeable to their several respective claims, but no judgment to be entered after the passage of this act, or after the time of his application to the county court for the benefit of this act, against any of the said debtors who shall take advantage of this act, shall be a lien on his real property, nor shall any process against his real or personal property have any effect thereon, except writs of *feri facias* actually and *bona fide* paid before the pas-