

CHAP. 70. and mixed, of the said applicant or applicants, to be conveyed to him as aforesaid, whether the application of said petitioning debtor or debtors, be prosecuted to a final hearing or not, and the proceeds of said sale to distribute amongst the creditors of the said applicant or applicants, agreeably to the provisions of the seventh section of the act, to which this is a further additional supplement, after deducting therefrom the commissions to be allowed him, as is likewise prescribed in the tenth section of the said original act.

Convey title

SEC. 4. *And be it enacted*, That said trustee shall have authority to convey and assure to any purchaser or purchasers, and to his, her, or their heirs, any estate, real, personal or mixed, which he may sell to him, her or them, agreeably to the provisions of this act.

Trustees bond liable for default]

SEC. 5. *And be it enacted*, That upon the failure of any trustee, (to be appointed agreeably to the provisions of this act) duly to discharge his trust, his bond may be put in suit at the instance, and for the use of any creditor or creditors of the petitioning debtor, or other person or persons interested in the faithful execution thereof; and every such case a copy of the bond of said trustee, under the hand and seal of the clerk of the court, to which the application of said insolvent may be returnable, shall be taken and received in evidence, as fully as if the original bond were produced.

Final discharge in case no interrogatories are filed

SEC. 6. *And be it enacted*, That if at the time of the final hearing of his or their application in the county court, to which his or their petition may be returnable, no interrogatories or allegations shall be filed, or if filed, shall have been satisfactorily answered, or decided in favor of such applicant or applicants, that then it shall be the duty of the said court to extend to the said applicant or applicants, a final discharge, without the assent of any of his or their creditors.

Voluntary confession of judgment declared an undue preference

SEC. 7. *And be it enacted*, That the voluntary confession of any judgment, in favor of any creditor or creditors, security or securities, made by any person or persons, with a view, or under an expectation of being or becoming an insolvent debtor, shall be, and the same is hereby declared to be, an undue and improper preference to such creditor or creditors, security or securities, within the true intent and meaning of the ninth section of the act, to which this is a further additional supplement.

Property not returned, subject to execution

SEC. 8. *And be it enacted*, That all the property of the petitioner, real, personal and mixed, not mentioned and included in his schedule, be subject to execution and attachment, in the same manner his property was subjected prior to the time of his petitioning for the benefit of the insolvent laws of this state.

Acts inconsistent herewith repealed. Baltimore city and county exempt.

SEC. 9. *And be it enacted*, That all such acts, and parts of acts of Assembly, as may be inconsistent with the provisions of this act, be and the same are hereby repealed: *Provided*, that nothing in this act contained, shall be construed to extend to the city and county of Baltimore.