

imprisoned debtors; and provided, that the said imprisoned debtor, at the time of his discharge, if required by the county court, or any judge thereof, shall enter into a bond, with such penalty and security as the county court, or any judge thereof, shall direct and approve, conditioned for his personal appearance at such time or times as the said court, or any judge thereof, shall direct, to answer the allegations of his creditor or creditors according to the provisions aforesaid; and if the said debtor shall not enter into bond as aforesaid, if required by the county court, or any judge thereof, then such debtor shall remain in confinement until the application, (if objected to,) shall be decided on.

XII. AND BE IT ENACTED, That the county court may, by order, limit and appoint the time for creditors to bring in and declare their claims, and may examine such creditors, and also the debtor, on oath or affirmation, concerning the same, and, on any contested claim, may, if they think proper, order the same, or any fact concerning the same, to be tried on an issue framed for that purpose, and may order any part of the petitioning debtor's estate to be set apart and retained for the eventual satisfaction of any contested claim, or to be brought again into distribution; and if any creditor to whom a real debt is due, shall collude with the debtor to gain an undue preference in the satisfaction of his debt, or for concealment of any part of the debtor's estate or effects, or shall contrive or concert any acknowledgment of the debtor, by parole, or in writing, or any kind of security, to give false colour to his claim for more than is *bona fide* due, such creditor shall lose his debt truly due, and shall be totally excluded in the distribution.

XIII. 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, damage or costs, contracted, owing or growing due, before the passage of this act, or before the time of their application to the county court for the benefit of this act, the court, out of which such process issued, or any judge thereof, of the county where the said debtor may be arrested or imprisoned, on application made to them, 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 passage of this act, or before the time of their application to the county court for the benefit 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 entered, without any special bail; provided, that the discharge of such debtor or debtors shall not acquit or discharge 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 of this act, or before the time of their application to the county court for the benefit of this act.

XIV. AND BE IT ENACTED, That all proceedings under this act shall be recorded by the clerk of the county court in which such debtor shall reside, who shall be entitled to the same fees as are fixed by law for services in other cases, which shall be paid at the time of obtaining the discharge.

XV. AND BE IT ENACTED, That in all appointments of trustees under this act by the county court, in the room of any person before appointed, the county court shall consult the creditors, and govern themselves by the choice of a majority of them in value, unless upon notice being given by public advertisement, or in such manner as they shall think reasonable, the said creditors shall neglect to make such choice.

XVI. AND BE IT ENACTED, That none of the said debtors named in this act, who do not make application as aforesaid on or before the first day of September next, nor any other persons who shall apply for the benefit of this act, who shall not execute a deed for all his estate, real, personal or mixed, to any trustee appointed in virtue of this act, within one month after the appointment of such trustee, and bond given by him according to the provisions of this act, shall have any benefit of this act.

XVII. AND BE IT ENACTED, That nothing herein contained shall be construed to compel the above named John Gill, of the city of Baltimore, to obtain the assent of two thirds in value of his creditors, but it shall and may be lawful for the county court of Baltimore county to award and adjudge to the said John Gill the full and final relief of this act, unless some one or more of the creditors of the said John Gill, who shall have due to them the amount of two thirds of the debts owing by such debtor at the time of the passage of this act, express, in writing, to the county court, their dissent to the said debtor obtaining such relief.

XVIII. Whereas John H. Barney, one of the said petitioners, hath executed a deed of trust for the benefit of his creditors, prior to his application to this general assembly, BE IT ENACTED, That