

Dec. Ses 1824

pect, from the relation which he sustains to his creditors, as surviving partner, of making successful application, for the benefit of the insolvent laws of this state; and that his said deceased partner, at the time of his death, was justly indebted to him in a large sum of money, greatly more than sufficient to pay all debts owing by said petitioner: and for the recovery of which claim against his said deceased partner, he has caused proceedings to be commenced against the representatives of the said William E. Williams; and has prayed, in his petition, for the passage of a special act in his favor, protecting his body from execution, until such reasonable time as he shall be enabled to prosecute to a determination his alleged claim against the representatives of the said William E. Williams; and as the prayer of the said petitioner for legislative interposition, appears to be reasonable, under the circumstances of his case; Therefore,

Exempted
from impris-
onment.

SEC. 1. *Be it enacted by the General Assembly of Maryland,* That from and after the passage of this act, the body of the said Beal C. Stinchcomb, shall not be liable to be seized, taken or held in custody by virtue or authority of any writ or writs of execution issued, or hereafter to be issued upon any judgment or judgments, rendered or to be rendered against the said Beal C. Stinchcomb, as surviving partner as aforesaid, until such time as the said Beal C. Stinchcomb shall, or with proper diligence and attention might have prosecuted to a final determination his claim, if any, against the estate of the said William E. Williams.

Proceedings
in case of his
neglect.

2. *And be it further enacted,* That upon the application of any creditor or creditors of the said Beal C. Stinchcomb, to any judge of the court of any county, in which any judgment or judgments have been or hereafter shall be, rendered against the said Beal C. Stinchcomb, as surviving partner as aforesaid; and upon notice given to the said Beal C. Stinchcomb, and upon the production of satisfactory evidence of wilful or fraudulent neglect and delay, by the said Beal C. Stinchcomb, in the prosecution of his claim against the estate of the said William E. Williams, it shall and may be lawful for such judge to order or award immediate execution against the said Beal C. Stinchcomb, upon any judgment or judgments open against him, at the instance of any creditor or creditors so making application and proof as aforesaid, any thing in this act, to the contrary thereof, in any wise notwithstanding.

Further pro-
ceedings di-
rected.

3. *And be it further enacted,* That from and after such order or award made by any judge according to the provisions of the second section of this act, shall have been filed in the office of the clerk of the county court; or in case no such order or award shall be made, then, from and after the final determination of the Chancery suit, brought or to be brought by the said Beal C. Stinchcomb, against the representatives of the said William E. Williams, it shall and may be lawful for the plaintiff or plaintiffs, in any judgment or judgments rendered, or to be rendered against the said Beal C. Stinchcomb, to issue within one year, next after the said order or award of the judge shall be filed in the clerk's office as aforesaid, or within one year after the final determination of the said suit in chancery, which shall first happen, execution or other

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