

**CHAP. 110.** ed, for the purpose of taking the oath or affirmation herein before mentioned, and the said sheriff shall obey the said order, and shall be entitled to a preference, after the discharge of all liens on the said debtor's estate, to all other creditors, in the payment of his account against the said debtor for legal fees of imprisonment, and his reasonable expenses in carrying the said debtor to the county court, in obedience to their order as aforesaid, any thing in this act to the contrary notwithstanding; and the court, or in vacation the chief justice, or either of the associate justices, may direct that the body of such debtor shall be discharged from imprisonment, and appoint a time when such debtor shall appear before the county court, to answer interrogatories which his creditors may propose to him, on not less than three months notice as aforesaid, any thing in this act to the contrary notwithstanding; *Provided*, that such discharge from imprisonment shall not operate as a discharge of any of the debts of the said imprisoned debtors; *And provided*, that the said imprisoned debtor, at the time of his discharge, if required by the county court, chief justice, or either of the associate justices, shall enter into bond, with such penalty and security as the county court, chief justice or associate justice, shall direct and approve, conditioned for his personal appearance at such time or times as the said court, chief justice or associate justice, 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, chief justice or associate justice, then such debtor shall remain in confinement until the application, (if objected to,) shall be decided on.

*Proviso.*

Time limited for creditors to declare their claims, &c.

**12. 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.

Debtors arrested on any process, may be discharged on motion.

**13. 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, the court, out of which such process issued, or any one judge of the general court, or the chief justice of the district court, or the two associate justices of the county court 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