

to be approved of by the court, to the creditor or creditors who may have filed the said allegations, with condition to the following effect: that if the said insolvent debtor (the party appellant) shall not cause a transcript of the record and proceedings of the said opinion and judgment thereupon rendered, to be transmitted to the next court of appeals, to be holden for the western or eastern shore, as the case may be, and prosecute the said appeal with effect, or satisfy and pay to the said creditor or creditors (so filing the said allegations) his, her or their executors, administrators or assigns, in case the said opinion and judgment should be affirmed, as well the debt or claim of the said creditor or creditors with legal interest thereon and costs, as also all costs that may be awarded by the court of appeals, or render himself in execution upon any *capias ad satisfaciendum* which may be issued upon the said judgment, in case the said opinion and judgment shall be affirmed, then the said bond to be and remain in full force and virtue, otherwise of no effect.

SEC. 7. *And be it enacted*, That the right of appeal as herein before provided in all cases of allegations against an insolvent debtor which may hereafter occur, is hereby extended to all cases of allegations which have been filed or decided since the first day of January, eighteen hundred and twenty-three.

Appeal granted retrospectively.

SEC. 8. *And be it enacted*, That from and after the passage of this act, it shall be the duty of any county court, or of any judge of any county court, or of any justice of the orphans court to whom application may be made for the benefit of the insolvent laws of this state by any person or persons whatsoever, immediately thereupon to appoint a provisional trustee for the creditors of the said applicant; and the county court, judge or justice, as the case may be, shall not grant a personal discharge to the applicant until the said provisional trustee so to be appointed as aforesaid shall give bond with security to be approved of by the said county court, judge or justice, as the case may be, conditional for the faithful discharge of his trust, and until the said applicant shall execute to the said provisional trustee, a good and sufficient deed for all his estate, both real and personal, the necessary wearing apparel and bedding of himself and family excepted, for the benefit of the creditors of the said applicant, and until the said *provincial** trustee so to be appointed shall certify in writing to the said county court, judge or justice, as the case may be, that he is in possession of all the estate of the said applicant mentioned in his schedule.

Provisional trustee—bond; deed.

(*provisional)

This section is modified by 1827, ch. 70, sec. 1 and 9, which dispenses with a provisional trustee, elsewhere than in the city and county of Baltimore.