

adjudicated an insolvent under this article shall not have executed and delivered such schedule and list of debts within ten days after his adjudication, it shall be the duty of his preliminary trustee to make out a list of his creditors from the best information he can obtain, and to file the same with the clerk of the court by which the said insolvent was adjudicated; and said trustee shall be at liberty to amend said list from time to time; and all notices addressed to each of the creditors mentioned in said list shall have the same force and validity for all purposes whatsoever as if said list of creditors had been prepared and returned by the insolvent himself, along with his schedule and list of debts, and verified by his affidavit, as required by the provisions of this article.

Neither creditors nor the insolvent trustee can make a bargain with the insolvent which relieves him from the duty of surrendering all his property. Action of the insolvent court held not to amount to approval of such bargain. *Cochrane v. Bridendolph*, 72 Md. 280.

An. Code, sec. 31. 1904, sec. 31. 1888, sec. 31. 1854, ch. 193, sec. 20. 1865, ch. 91.

31. Any person interested may appeal from the decision of the court on any question under this article, provided such appeal be entered within thirty days and a certified copy of the record be transmitted to the court of appeals within sixty days from the date of the decision appealed from, but the execution or effect of any judgment, decree, decision or order appealed from shall not be suspended or stayed unless a bond shall be given in such penalty and condition and with such security as the court may prescribe and approve.

When an appeal lies.

A trustee may appeal from decisions affecting the interests of all the creditors by diminishing the estate, or where he is defeated in attempts to augment the estate. *Salmon v. Pierson*, 8 Md. 298.

A trustee may appeal from an order rescinding his appointment and from an order injuriously affecting his commissions. *Teackle v. Crosby*, 14 Md. 24; *White v. Malcolm*, 15 Md. 541; *Salmon v. Pierson*, 8 Md. 299.

An appeals lies from an order removing a trustee and dismissing the petition in insolvency. *Van Nostrand v. Carr*, 30 Md. 131.

A trustee may appeal from an order setting aside a sale and suspending a further sale for one month. *McHenry v. McVeigh*, 56 Md. 583.

Where a distribution of an insolvent estate is improperly attempted in equity and the claim of a creditor is disallowed, he may appeal from such order and the same will be reversed on the ground of lack of jurisdiction. *Pierson v. Trail*, 1 Md. 143.

This section applied. *Paul v. Locust Point Co.*, 70 Md. 291.

No appeal lies from an order overruling a demurrer to a petition in involuntary insolvency, and requiring the defendant to answer. The right of appeal as affected by the policy of insolvent laws. *Tawes v. Tyler*, 71 Md. 507.

No appeal lies from the refusal of court to grant a rule on insolvent trustee requiring him to show cause why his appointment should not be revoked. (This case was decided prior to adoption of sec. 31, and the opinion does not show the ground of the decision). *Chase v. Glenn*, 1 H. & G. 161.

Generally.

An appeal not taken within thirty days will be dismissed. *Spark's Appeal*, 18 Md. 418.

While the appeal must be taken within thirty days, the bond may be filed thereafter. *Willis v. Wright*, 22 Md. 378.

For a case involving question of whether record was transmitted in time, and of whose fault the delay was, see *Glenn v. Chesapeake Bank*, 3 Md. 478.