

Mr. Scott from the committee, to whom was recommitted the bill relating to insolvent debtors, reported that the committee had had the same under consideration, and were of opinion that it ought to pass with the following amendments viz.

Strike out all that follows after the word 'allegations' in the fourteenth line of the sixth section, and insert—"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 thereon 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 prosecuted 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, or 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 on 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.

2d. Strike out the last section of the bill.

3d. Add as additional sections:

"And be it enacted, That from and after the passage of this act, it shall be the duty of any county court, or 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 benefit of the creditors of said applicant, and the county court judge or justice, as the case may be, shall not grant a personal discharge to the said 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 provisional 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.

And be it enacted, That nothing in this act contained, shall be construed to prevent the appointment of any permanent trustee for the benefit of the creditors of any insolvent debtor, in like manner as permanent trustees are now appointed.