

Dec Ses 1823. shall suffer as in case of wilful and corrupt perjury, and be forever debarred from any benefit of the insolvent laws of this state.

When fraud is proved insolvent debarred & costs provided for.

5. And be it enacted, That if upon the answer of any insolvent debtor to any interrogatories, or if upon the trial of any issue or issues by a jury, upon allegations which may be filed against any such debtor, such debtor shall be found guilty of any fraud or deceit of his creditors, the county court in which such interrogatories or allegations may or shall be filed, shall give judgment for the creditor or creditors preferring such interrogatories or allegations against such insolvent debtor, for his reasonable costs and charges in that behalf sustained, and such insolvent debtor shall be debarred from any benefit of the insolvent laws of this state.

Appeal granted

6. And be it enacted, That upon the hearing of any allegations which may hereafter be filed against any insolvent debtor in any county court, the said insolvent may have a right to appeal from any opinion of the said court, to the court of appeals of the Eastern or Western Shore of this state, as the case may be, and the said appeal shall operate as a supersedeas upon any judgment rendered in pursuance of the said opinion: Provided, The said insolvent debtor shall give bond with security, 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.

Provisoes.

Appeal granted retrospectively.

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.

Provisional trustee-bond decreed.

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 orphan's 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