

CHAP. 173. of the deaths of defendants, and in their place summoning and making defendants their executors or administrators.

Power of appointing trustees

Sec. 5. *And be it enacted*, That the power of Baltimore county court to appoint a Trustee or Trustees, in place of a permanent Trustee or Trustees granted in the said third section of said act of December session, eighteen hundred and thirty-two, chapter two hundred and three, shall be construed to extend to, and the provisions of said section shall be taken to embrace all cases of petitions for or with a view to such appointment, filed or pending before the passage of said act.

New trustees empowered

Sec. 6. *And be it enacted*, That it shall be lawful for such new Trustee or Trustees aforesaid, to put in suit and recover for the use of the creditors of the insolvent debtor upon any bond executed by such former Trustee or Trustees for the discharge of his trust upon any claim for monies or property received by such former Trustee or Trustees, and not distributed among such creditors.

Baltimore County Court may receive bond of Trustees, &c.

Sec. 7. *And be it enacted*, That it shall be lawful and competent for Baltimore county court to receive and approve any bond with surety, for faithful performance of his trust, of any permanent trustee of an insolvent debtor of the city or county of Baltimore, notwithstanding such Trustee shall have been appointed by the said commissioners of insolvent debtors; and such bond so received and approved shall have the same effect as if received and approved by said commissioners, and may be filed in Baltimore county court if the proceedings of such insolvent debtor's case shall have been returned to the said court, or otherwise, in the office and among the proceedings of said commissioners.

Fee payable on application

Sec. 8. *And be it enacted*, That for the services of the clerk of Baltimore county court, in docketing, entering and recording so far as is prescribed by law, the papers and proceedings, in the cases of insolvent debtors when returned to Baltimore county court by said commissioners of insolvent debtors, there shall be paid to said commissioners the sum of one dollar by each insolvent debtor of the city or county of Baltimore upon presenting his petition for the benefit of the insolvent laws; which sum the said commissioners, shall pay over to said clerk; *provided*, however that said commissioners may dispense with the payment of said fee where they shall be satisfied of the inability of such debtor to pay the same.

Payment over

In case of trial

Sec. 9. *And be it enacted*, That whenever on trial of any cause on the city docket of Baltimore county court, any