

1904, art. 47, sec. 12. 1888, art. 47, sec. 12. 1860, art. 48, sec. 11.
1854, ch. 193, sec. 11.

12. The said courts, or the judge thereof in the recess, may remove any trustee for misconduct, or may, at discretion, discharge a trustee who applies to be discharged.

Where a trustee's interests are conflicting, he should ask to be relieved. *Hoffman v. Armstrong*, 90 Md. 132.
See sec. 13 and notes.

Ibid. sec. 13. 1888, art. 47, sec. 13. 1860, art. 48, sec. 12.
1854, ch. 193, sec. 12. 1880, ch. 172.

13. The said courts, or judges thereof, shall prescribe the penalty of the bonds of the trustees and approve the security therein, and may order a new bond or a new security or securities to be given, and may remove any trustee on failure in compliance or for incompetency or neglect of duty, and shall have all the powers over the trustees under this article, which courts of equity have over trustees appointed by decree to sell property; and the said courts shall, by their rules, provide the method and forms for the proof of claims against the estate of insolvents.

A separate bond must be given in each case, though the trustee be the same person. *Gable v. Scott*, 56 Md. 186.

A creditor of an insolvent can not maintain an action on the trustee's bond until his claim has been audited and directed to be paid by the court, and the trustee has notice. *State v. Mayugh*, 13 Md. 377.

The trustee being answerable only for a breach of trust, no proceedings can be instituted against him until the ratification of the audit. *Insolvent Estate of Leiman*, 32 Md. 240.

An equity court has no jurisdiction to remove or appoint an insolvent trustee, though it will exercise ancillary jurisdiction for the prevention of injury until the insolvent court can take hold. *Powles v. Dilley*, 2 Md. Ch. 127; *Powles v. Dilley*, 9 Gill, 239.

Insolvent courts have no jurisdiction to compel executors and administrators of a deceased trustee to account in such court. The insolvent court may, however, proceed against the trustee for default or neglect of duty. *Purviance v. Glenn*, 8 Md. 206.

A trustee's appointment will not be rescinded because he was counsel for the applicant and represented no creditors. *Teackle v. Crosby*, 14 Md. 21.

Upon the death of the trustee, the insolvent court must appoint another. *Jamison v. Chestnut*, 8 Md. 39.

Where one of the permanent trustees dies and the other removes from the jurisdiction, the insolvent court may appoint a trustee in their place, and thereupon the provisional trustee must convey accordingly. *Glenn v. Kartbaus*, 4 G. & J. 392.

The filing of the schedule of an insolvent is not a filing of the claim of an alleged creditor. *Strike v. McDonald*, 2 H. & G. 192.

Ibid. sec. 14. 1888, art. 47, sec. 14. 1860, art. 48, sec. 13. 1854, ch. 193,
sec. 13. 1880, ch. 172. 1884, ch. 295. 1886, ch. 298.
1890, ch. 364. 1896, ch. 184. 1896, ch. 446.

14. No deed or conveyance executed, or lien created by any person being insolvent or in contemplation of insolvency, save as hereinafter provided, shall be lawful or valid if the same shall contain any preference, save such as result from operation of law, and save those for the wages or salaries to clerks, servants, salesmen and employes contracted not more than three months anterior to the execution thereof; and all