

A receiver held to be entitled to sue in his own name independently of secs. 376 and 378 to 387 of the Code of 1904. *Frank v. Morrison*, 58 Md. 440.

For a bill of complaint filed under secs. 376 and 377 of the Code of 1904, see *Union Trust Company v. Belvedere Co.*, 105 Md. 514.

This section referred to in construing sec. 377 of the Code of 1904—see notes to sec. 94. *Mowen v. Nitsch*, 103 Md. 687; *Colton v. Drovers' Bldg. Assn.*, 90 Md. 93.

Sec. 376 of the Code of 1904 cited but not construed in *Tucker v. Osbourn*, 101 Md. 616; *Tompkins v. Sperry, etc., Co.*, 96 Md. 575.

Generally.

The act of 1894, ch. 263, did not change the relations of shareholders to the corporation of which they were members, nor establish any new rule relative to the proof of the insolvency of a corporation. Insolvency not made out. *Steinberger v. Independent Savings Assn.*, 84 Md. 635.

Equity court in Baltimore city has no jurisdiction to wind up and dissolve a corporation doing business and having its principal office in Garrett county. *Davis v. Gemmell*, 73 Md. 535. (And see dissenting opinion, page 557.)

This section referred to in construing sec. 94—see notes thereto. *Hughes v. Hall*, 118 Md. 678.

Sec. 264 (art. 23) of the Code of 1888, cited but not construed in *Blackstone v. State*, 117 Md. 238.

Cited but not construed in *Preston v. Poe*, 116 Md. 5.

See notes to sec. 94.

1920, ch. 236.

93. No corporation shall hereafter be dissolved by any decree of any Court of this State until all taxes due to the State, or chargeable by the State, have been fully paid and adjusted and the certificate of the Comptroller of the Treasury to this effect filed in the proper Court with the proceedings of the dissolution.

An. Code, sec. 79. 1904, secs. 377, 382, 383. 1888, secs. 269, 270.

1868, ch. 471, secs. 190 and 191. 1896, ch. 349.

1902, ch. 198, sec. 264A. 1908, ch. 240, sec. 54.

94. Whenever any corporation shall be dissolved by the decree of any court of this State, its property shall vest in its receivers appointed and named therein, and all preferences, payments and transfers, howsoever made by it or by any of its officers on its behalf, which would be void or fraudulent under the provisions of the insolvency laws of this State, if made by a natural person, shall to the like extent and with like remedies be fraudulent and void; and for the purpose of setting aside such preferences, payments and transfers, the receiver of such corporation shall have all the powers vested in the permanent trustee of an insolvent debtor and the date of the filing of the petition or bill by or against such corporation shall, for the purpose of determining the validity of preferences and for all other purposes, be treated as the date of the filing of the petition in insolvency by or against a natural person; provided, however, that if any real or personal property of such corporation shall have been decreed to be sold by any court of equity for the enforcement of a mortgage, deed of trust or deed of trust in the nature of a mortgage; or if there be a power of sale or a consent to a decree for a sale contained in any mortgage, deed of trust or deed of trust in the nature of a mortgage of real or personal property made by such corporation, then (unless with the written consent of the other parties in interest) the receiver of such corporation shall be author-