

For cases apparently now inapplicable to this section because of changes in the law, see *Kelso v. Stigar*, 75 Md. 396; *State v. Reaney*, 13 Md. 230; *Carter v. Dennison*, 7 Gill, 157; *Chaplin v. Shoot*, 3 H. & McH. 350.

As to the insolvency of agents and factors, see art. 2, secs. 11 and 14.

As to suspension of statute of limitations pending dismissal of petition in insolvency, see art. 57, sec. 9.

An. Code, 1924, sec. 2. 1912, sec. 2. 1904, sec. 2. 1888, sec. 2. 1854, ch. 193, sec. 2. 1880, ch. 172.

2. The court, or one of the judges thereof, shall then appoint a preliminary trustee, who shall give bond to the State, with surety or sureties to be approved by the judges or clerk of said court in such penalty as the court, or one of the judges thereof, may prescribe, for the faithful discharge of his trust, and the insolvent shall immediately convey to such trustee all his property and estate of every description, and upon the approval of such bond, whether such conveyance has been made or not, all the property of every description, rights and claims of the insolvent as well such as are enumerated and described in his schedule, as also all other property, rights and claims not so enumerated and described in his schedule, shall vest in the said trustee, with the exceptions stated in the foregoing section; and it shall be the duty of the said preliminary trustee immediately to cause notice to be transmitted by mail to each of the creditors mentioned in the schedule, addressed to them at their respective places of abode or of business, so far as mentioned in the schedule or known to him, giving notice to such creditors of the pendency of proceedings in insolvency in relation to the estate of the insolvent and requiring them to appear at a place and time to be named not less than five nor more than ten days from the mailing of the notices, to choose a permanent trustee for the estate of such insolvent, and the place of meeting shall be in the county or city in which the debtor resides, and said preliminary trustee shall cause like notice to be given to all creditors generally of the insolvent by a notice inserted once in some newspaper in the county of the debtor's residence and by two insertions in some daily newspapers published in the city of Baltimore when the debtor is a resident of such city. At the time and place named it shall be the duty of the clerk or deputy clerk mentioned in sections 20 and 21, and of the debtor and preliminary trustee to appear, and the said clerk or deputy clerk shall preside at such meeting; thereupon the creditors present having proved their claims in accordance with the rules to be prescribed by the court as hereinafter provided shall proceed to the election of a permanent trustee for said estate, and the person who shall receive the votes of the greater number of said creditors and of those holding the greater amount of indebtedness shall be elected such permanent trustee, subject, however, to the approval of the court or one of the judges thereof, and if the creditors fail to attend or any person fails to obtain the requisite majority of number and amount of creditors as before provided, or if the person elected be in the opinion of the court an unsuitable person to execute the duties of the office of trustee, the court shall appoint some person to act as permanent trustee, and when such person shall be elected and appointed as aforesaid or appointed by the court he shall give bond in manner and form as hereinbefore provided with respect to the preliminary trustee, and thereupon immediately upon the filing and approval of such bond all said estate, property, rights and claims shall vest in such permanent trustee, and such preliminary trustee, if he be a different person from the permanent trustee, shall execute to him a deed of the same, and duly