

surety shall be discharged from all further liability for the acts or omissions of the fiduciary after the date of such surety being so relieved or discharged; and if such fiduciary shall fail, within the time specified by order of court, to account and file a new bond as directed therein, the court shall remove such fiduciary and appoint a successor in the trust, who shall be authorized to proceed against such fiduciary and his bond for the recovery of the estate. The cost of proceeding under this section shall be taxed in the discretion of the court; provided that the court before releasing such surety shall adjudge what proportion, if any, of the money paid such surety for going on such bond shall be returned to the estate or party paying the same.

Completion of Collections by Sheriffs and Collectors of Taxes.

1888, art. 90, sec. 6. 1860, art. 16, sec. 74. 1831, ch. 282, secs. 1, 2

7. In any case where the surety of a sheriff, deputy sheriff or collector of taxes shall apply to the court, by bill or petition, the court, on being satisfied that such surety has suffered, or is likely to suffer loss or damage by reason of his suretyship, may appoint a trustee to complete his collections for the benefit of those concerned; and the court shall compel such sheriff, deputy sheriff or collector, or his representatives, to answer such bill or petition under oath, and disclose the state of his collections.

Ibid. sec. 7. 1860, art. 16, sec. 75. 1834, ch. 76, sec. 1.

8. If on the filing of a bill or petition under the preceding section, or at any other period in the cause, it shall be made to appear to the court, by affidavit, that an injunction is necessary to the security of the plaintiff, the court may issue such injunction, and may appoint a receiver to take charge of the collections of the defendant and to perform the duty of the trustee mentioned in the preceding section till the further order of the court; and the court may confer on him such powers and pass such orders as may be necessary to effect the objects of such injunction and receivership.

Ibid. sec. 8. 1860, art. 16, sec. 76. 1831, ch. 282, sec. 3. 1834, ch. 76, sec. 1

9. The court may order the delivery to the trustee or receiver mentioned in the two preceding sections by any person of all books, papers and vouchers of or concerning the claims, demands and debts to be collected by such trustee or receiver and may compel such sheriff, deputy sheriff or collector, or his executors, to disclose, under oath, all the books, papers