

section, by the provisions of the particular act under which a trustee has been appointed, who has died or removed without fully executing and completing his trust.

1888, art. 93, sec. 246. 1860, art. 93, sec. 246. 1802, ch. 101, sec. 6

250. If letters testamentary or of administration shall be revoked by the orphans' court and new letters granted, pending any action at law or in equity against the executor or administrator whose letters are revoked, there shall be the same proceedings to make the proper executor or administrator a party in the action, upon the suggestion of such revocation, as in cases where a defendant has died pending an action.

Ibid. sec. 247. 1860, art. 93, sec. 247. 1802, ch. 101, sec. 6.

251. If in the case mentioned in the preceding section, there has been a judgment rendered previous to the revocation of the letters, a *scire facias* shall issue upon such judgment against the proper executor or administrator, suggesting the revocation of the letters of the former executor or administrator, and there shall be the same proceedings as in ordinary cases against executors and administrators.

Ibid. sec. 248. 1860, art. 93, sec. 248. 1802, ch. 101, sec. 7.

252. If a judgment shall be obtained against an executor or administrator who has been made a party to a suit in the place of an executor or administrator whose letters have been revoked, and it shall not be found by the jury that the executor or administrator against whom such judgment has been rendered has assets sufficient to discharge the same, the plaintiff in such judgment may also issue a *scire facias* on such judgment against the executor or administrator whose letters have been revoked, suggesting that such executor or administrator did receive assets of the deceased, liable to such judgment, more than was paid over or delivered by such executor or administrator, to the persons obtaining the said letters testamentary or of administration; and if the same shall be controverted, it shall be ascertained by a jury in the same manner as in cases of *scire facias* suggesting assets against the second executor or administrator; and in case of a verdict and judgment being given against such former executor or administrator, execution may issue thereon in the same manner as against other executors or administrators, and the plaintiff may also sue the bond of such former executor or administrator.