

CHAPTER 431.

AN ACT to add a new section to Article 16 of the Code of Public General Laws of Maryland, title "Chancery," sub-title "Trustee," to be known as Section 246A; and to follow immediately after Section 246 of said Article as found in Bagby's Annotated Code of the Public General Laws of Maryland.

SECTION 1. *Be it enacted by the General Assembly of Maryland.* That a new section be and the same is hereby added to Article 16 of the Code of Public General Laws of Maryland, title "Chancery," sub-title "Trustee," to be known as Section 246A, and to follow immediately after Section 246 of said Article as found in Bagby's Annotated Code of the Public General Laws of Maryland.

Section 246A. Whenever any property, real or personal, or both, in this State, has been limited or conveyed to a trustee or trustees to secure the payment of money, and said trustee or trustees, the survivor of them, or trustee or trustees substituted in said trust, shall die, resign or for any reason fail or neglect to act in the performance of his or their duties, upon petition setting forth under oath the facts of said trust, the death, resignation or failure to act of the trustee or trustees, and such other facts as may be necessary to entitle the petitioner or petitioners to the relief prayed, by any person or persons interested in the release or execution of said trust, to any Court of Equity having jurisdiction over said property, said Court shall have power to pass a decree substituting a trustee or trustees in the place of the trustee or trustees so dying, resigning, failing or neglecting to act, with all the powers and liabilities of said trustee or trustees for whom he or they are substituted. In such proceedings, notice by summons or publication, according to the practice in equity in said Court, shall be given to said trustee or trustees to be removed or replaced as aforesaid, if living, and if dead it shall not be necessary to give such notice or to make his heir at common law or his heirs, devisees or personal representatives parties thereto but the Court shall lay a rule upon the party or parties whose property is liable for the payment of said money or upon the beneficiary or beneficiaries of said trust if a release thereof be sought, unless he or they shall voluntarily appear and admit the allegations of the petition, to show cause under oath on or before fifteen days after service of such rule why the prayer of said petition shall not be granted. If