

## CHAP. 194.

Upon transfer of property, &c trustee to be discharged, &c

Trustee substituted, to give bond, &c

Trustee may petition court to surrender his trust &c

Court may allow trustee surrendering trusts, to retain portion of estate, &c

3. *And be it enacted*, That when the said trustee, so petitioning as aforesaid, shall make the said conveyances and assignments of the property conveyed to him as trustee, or so much thereof as may then be remaining in his possession, subject to such exceptions as may hereinafter be excepted, and the said trustee, thus substituted in his place, shall certify that he has received possession of the said property, producing at the same time a schedule thereof, the said certificate and schedule to be filed in the clerk's office of the county, and that he has given bond in pursuance of the directions of this act, then the said trustee, so petitioning as aforesaid, shall thereupon be discharged from the execution of any further or future duty or obligation arising out of his appointment as trustee for the creditors of the said insolvent debtor.

4. *And be it enacted*, That the said trustee, so substituted in the place of the trustee so petitioning as aforesaid, shall under the direction of the court, give bond for the same purpose, and in the same manner, that the original trustee ought to have done under the act to which this is a supplement; which said bond shall be recorded and certified, according to the provisions of the said act, and shall in the same manner, be good evidence in any court of law or equity in this state, and the said trustee shall in all other respects comply with the provisions of the said act relating to the trustee as aforesaid.

5. *And be it enacted*, That it shall and may be lawful for any trustee, appointed by virtue of the act to which this is a supplement, or by virtue of the act, entitled, An act relating to insolvent debtors in the city and county of Baltimore, or by virtue of this act, to petition the county court of the county in which he was appointed, setting forth his desire to surrender his said trust, at the same time exhibiting the assent in writing of two thirds of the creditors in value, expressing their willingness that the said trustee should surrender as aforesaid; and it shall thereupon be the duty of the said county court, provided they shall believe that the said surrender would not be prejudicial to the interests of the creditors, to grant permission to the said trustee to surrender up his said trust to the said county court, and the said trustee shall forthwith, upon such permission, under the direction of the court, return into the possession of the insolvent debtor, from whom he originally received the same, all the property and estate conveyed to him by the said insolvent debtor, or so much thereof as may then be remaining in his possession, subject nevertheless to such exceptions as may hereinafter be excepted, and it shall be the duty of the said trustee, so surrendering as aforesaid, to return to the said county court a schedule of such property so surrendered, and thereupon the deed, originally conveying the same to the said trustee, shall thenceforth be deemed and taken to be void as regards the said property so returned, and upon the said surrender being made, and schedule returned as aforesaid, the said trustee shall thereupon be discharged from the execution of any further or future obligation or duty arising out of his appointment as trustee for the creditors of said insolvent debtor.

6. *And be it enacted*, That the county court shall in their discretion, allow the trustees assigning or surrendering their trusts

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