

not obeyed its direction in giving the bond required by the decree.

But in this case, I shall not pass a final order ratifying the sale, until the trustee shall have given the requisite bond, because I do not now propose to say that the bond may be dispensed with altogether. All that I now design to decide is, that the sale is not void, because the trustee may have omitted to give bond before it was made, but I will require him to give it before finally ratifying the sale, that the parties entitled to the money may have the security, which the decree intended they should have, for its proper application.

Since the foregoing was written, the trustee has filed a bond, which has been approved, and an order will, therefore, be passed ratifying the sale.

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ALEXANDER and GILL, for Exceptants.
J. J. SPEED, for the other Parties.

HORACE ABBOTT AND OTHERS
vs.
THE BALTIMORE AND RAPPAHANNOCK
STEAM PACKET CO. AND OTHERS. } MARCH TERM, 1847.

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[COMMISSIONS TO RECEIVERS—SUBSTITUTION—PRACTICE.]

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It has not been the uniform practice of the court to allow receivers of insolvent corporations and private partnerships a commission of eight per cent. but the allowance in such cases has been controlled by the circumstances of each case rather than by any fixed, invariable principle or analogy.

As a general rule governing all cases not attended with peculiar circumstances requiring an augmentation, the allowance to receivers of insolvent corporations or private partnerships will be regulated by the general rule allowing commissions to trustees.

The clerk of a steamboat has a lien upon the vessel for his claim for wages, and stands in that respect upon an equal footing with the crew.

The captain of a steamboat drew an order upon the company, upon which the clerk advanced the money and applied it to pay the crew. *Held*—That this order operated as an assignment of so much of the fund out of which