

For a case involving the suspension of payment of negotiable paper as an act of insolvency, see *Cator v. Martin*, 57 Md. 400.

For conveyances, etc., held fraudulent and void, see *Clark Co. v. Colton*, 91 Md. 207; *Brown v. Smart*, 69 Md. 329 (affirmed in 145 U. S. 454); *Cator v. Martin*, 57 Md. 400.

Generally.

The enactment of a bankruptcy law suspends a state insolvency law only so far as the two conflict. The latter continues in force as to any class of persons exempted by the former. It is the exercise of the power of establishing a bankrupt law, and not the existence of such power, which renders the state law inoperative. It is the policy of this section to make farmers subject to its provisions. *Old Town Bank v. McCormick*, 96 Md. 349.

Proceedings against a corporation to avoid a preference may be brought under this section or under article 23, section 376 and 377, of the code of 1904—see sections 78 and 79 of the annotated code (article 23). *Mowen v. Nitsch*, 103 Md. 687.

Where a transfer has been made the basis of an adjudication, it is *ipso facto* void and section 24 is not applicable. *Vogler v. Rosenthal*, 85 Md. 46.

Object of this section as to bankers, brokers, merchants, traders, etc. The retirement of such person from business or his having made a deed for the benefit of creditors, does not absolve him from the provisions of this section. *Gardner v. Gambrill*, 86 Md. 660.

For a full note upon fraudulent conveyances, see *Swan v. Dent*, 2 Md. Ch. 111.

See sections 8 and 14 and notes.

1904, art. 47, sec. 23. 1888, art. 47, sec. 23. 1880, ch. 172, sec. 24. 1886, ch. 298, sec. 24.

23. A petition may be filed in any of said courts having right to take jurisdiction of the debtor so committing any act of insolvency in the preceding section mentioned, by any one or more creditors, the aggregate of whose debts against insolvent amounts to at least the sum of two hundred and fifty dollars, at any time within four months after the recording of any of the conveyances, creation of liens, or committing of any of the acts of insolvency in this article specified; the said petition shall allege the facts upon which the application is grounded, and pray for process against the debtor and an adjudication of insolvency, and shall be verified by the affidavit of the petitioner; the court shall thereupon issue summons for the debtor and require him to show cause in not less than five nor more than ten days why such adjudication shall not be made; upon any issue of fact which may arise out of said petition and answer, either party shall be entitled to a trial by jury, but the parties to said cause may waive the jury trial and be heard by the court on the issue of fact, and the trial shall take place at the term during which the petition was filed and as speedily as may be; and if the petition be filed in any circuit court for any county during the term and whilst the jury shall be in attendance thereon, the court shall not discharge the petit jury until the parties to said petition shall file their waiver of a jury trial, as hereinbefore provided; and if the petition be filed in any such court after the jury has been discharged for the term, the court or any judge thereof, shall, upon the demand of a jury trial by either party as aforesaid, order the sheriff to summon a special jury, which shall be convened in not less than five nor more than ten days from the date of such order, to