

think most for the advantage of the creditors, and the produce thereof, after satisfying all judgments, incumbrances and liens, shall be divided among the said creditors, agreeably to their several respective claims, but no judgment to be entered after the passage of this act, or after the time of his application to the county court for the benefit of this act, against any of the said debtors who shall take advantage of this act, shall be a lien on his real property, nor shall any process against his real or personal property have any effect thereon, except writs of fieri facias actually and bona fide *paid** before the passage of this act, (* laid) or before the time of his application to the county court for the benefit of this act.

SEC. 8. *And be it enacted,* That any trustee may sue for, in his own name, and recover, any property or debt assigned to him by any debtor in virtue of this act, and may also prosecute to judgment any suit commenced by the debtor before his appointment. Trustee may sue in his own name, &c.

SEC. 9. *And be it enacted,* That if any creditor on the application of any debtor to the county court, or within two years thereafter, shall allege in writing to the county court, that such debtor hath, directly or indirectly sold, conveyed, lessened, or otherwise disposed of, or purchased in trust for himself, or any of his family or relations, or any person or persons, intrusted or concealed, any part of his property of any kind, or any part of his debts, rights or claims, thereby to deceive or defraud his creditors, or any of them, or to secure the same, or to receive or expect any profit or advantage thereby, or that he has passed bonds, or other evidences of debt, either without consideration, or on improper consideration, or lost more than one hundred dollars by gaming at any one time, or hath assigned or conveyed any of his property with intent to give an undue and improper preference to any creditor or creditors, or security before the passage of this act, or before the time of his application to the county court for the benefit of this act, the said county court may thereupon, at the election of the creditor making such allegation, either examine the said debtor, and any person or persons to whom he may have made any conveyance of his property, or passed bonds or evidences of debt as aforesaid, on interrogatories, (of which interrogatories the person or persons answering the same shall, at the election of the person or persons making the allegation, be furnished with a copy or copies,) on oath or affirmation, touching the subject of the said allegations, or direct an issue or issues in a summary way, without the form of an action, to determine the truth of the same; and if, upon the answer of the said interrogatories, or the trial of the said issue or issues by a jury, such debtor shall be found guilty of any fraud or deceit of his creditors, or loss by gaming as When fraud is alleged, debtor may be examined, &c.