

and the court shall possess the power to allow any amendments necessary to present the rights of the matter. If the allegations of the petitioner shall not be sustained the respondent shall recover a judgment for costs against the petitioner; and if the allegations be sustained and are sufficient to warrant the same, an adjudication shall be made by the court that the debtor is insolvent, and therefore, and by virtue of the adjudication his right and power to dispose of any part of his estate and property shall cease; and when the court shall have appointed a preliminary trustee, all such estate and property shall, as soon as the bond of such trustee shall have been approved, be divested out of the insolvent and be vested in the trustee; and thereafter the same proceedings shall be had as hereinbefore prescribed in relation to persons who shall apply for the benefit of the provisions of this article; and the said debtor shall thereupon immediately execute the schedule and lists of debts, verified by his affidavit, as provided by section 1 of this article, and the debtor shall be entitled to his discharge from all debts and contracts made before the filing of the petition in this section mentioned, and in the same manner and to the same extent and with the same exception, as though he had made application, as provided in section 1 of this article.

Crawford v. Berry, 6 G. & J. 63. Jones v. Horsey, 4 Md. 306. Griffith v. Parks, 32 Md. 4. Trayhern v. Hamill, 53 Md. 90. Schiff v. Solomon, 57 Md. 584. Whyte v. Betts' Machine Co., 61 Md. 172. Paul v. Same, *ibid.* Griffie v. Mann, 62 Md. 248. Castleberg v. Wheeler, 68 Md. 274. Clark v. Manko, 80 Md. 79. Old Town Bank v. McCormick, 96 Md. 349, 357.

1888, art. 47, sec. 24. 1880, ch 172, sec. 25. 1896, ch 446.

24. If any deed, conveyance, assignment, gift, transfer or delivery be made of any goods, chattels, money, choses in action, lands, tenements or other property, or lien created thereon when the grantor or person creating the same is insolvent or in contemplation of insolvency, the same shall be *prima facie* intended to hinder, delay and defraud the creditors of the person by whom the same is made, and the burden of proof shall rest upon him and the grantee to explain the same and show the *bona fides* thereof; provided the creditors of the grantor in such deeds, conveyances or assignments shall avail themselves of the provisions of this article.

Castleberg v. Wheeler, 68 Md. 266. Brown v. Smart, 69 Md. 332. Pfaff v. Prag, 79 Md. 370. Willison v. Frostburg Bank, 80 Md. 210. Nicholson v. Schmucker, 81 Md. 464. Smith v. Pattison, 84 Md. 344. Vogler v. Rosenthal, 85 Md. 47. Applegarth v. Wagner, 86 Md. 474.