

of account or other property (unless the execution of said order of adjudication be suspended at the time by the filing of an appeal bond as provided under section twenty of this article); and the court which had so adjudicated said insolvent may thereupon proceed to enforce the execution and delivery by him of said schedule and list of debts, and the delivery of his said books of account and all other property to which his said preliminary trustee may be entitled, by fine and imprisonment, as in other cases of contempt for disobedience to or non-performance of its order; and in all cases where, from any cause whatsoever, any person who has been or shall hereafter be adjudicated an insolvent under this article shall not have executed and delivered such schedule and lists of debts within ten days after his adjudication, it shall be the duty of his preliminary trustee to make out a list of his creditors from the best information he can obtain, and to file the same with the clerk of the court by which the said insolvent was adjudicated; and said trustee shall be at liberty to amend said list from time to time; and all notices addressed to each of the creditors mentioned in said list shall have the same force and validity for all purposes whatsoever as if said list of creditors had been prepared and returned by the insolvent himself, along with his schedule and list of debts, and verified by his affidavit, as required by the provision of this article.

Enforce execution.

File list of creditors.

SEC. 13. No deed or conveyance executed, or lien created by any banker, stock-broker, merchant, manufacturer or trader, being insolvent or in contemplation of insolvency, shall be lawful or valid if the same shall contain any preferences, save such as result from operation of law, and save those for the wages or salaries to clerks, servants and employees, contracted not more than three months anterior to the execution thereof, and all preferences, with the exceptions aforesaid, shall be void, howsoever the same be made; provided the grantor or party creating the said lien or preference shall be proceeded against under sections twenty-four and twenty-four A, or apply for the benefit of this act under section one within sixty days after the recording of the deed or conveyance, or the creation of the said lien or preference, and shall be declared or shall become, under the provisions of this act, an insolvent.

When not lawful or valid.