

deemed to have committed an act or acts of insolvency, as the case may be; provided, the petition mentioned in the succeeding section is filed within four months after the act of insolvency is committed.

Petition.

24. A petition may be filed in any of said Courts having the 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 the insolvent amount 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 act 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 within 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 in 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

Trial.