

vendor therefor or to his order, or to any person for his use, any promissory note or other evidence of indebtedness for said purchase price or any part thereof, (except the payment of a sum not to exceed ten (10) per cent of the purchase price, as a deposit, as hereinafter provided), without first having demanded and received from said vendor or from his agent the statement provided for in Section 100 hereof and verified as herein provided, and without paying or seeing to it that the purchase money of said property is applied to the payment of the bona fide claims of the creditors of the vendor, pro rata, according to the priority of their several claims, as shown upon such verified statement, and without first having sent the notices of said sale and said statement of creditors, as provided for in said Section 100, then such sale or transfer shall be fraudulent and void as to subsisting creditors, and such purchaser or agent shall, at the suit of any creditor, be held liable to the said subsisting creditors of the said vendor as a trustee for the fair value of all the property so bought or sold by him; and, in addition, any property transferred in violation of the provisions of Section 100 to Section 104 hereof, both included, shall be subject to attachment in an action brought by any Creditor of the vendor. Provided, however, that if the vendor and/or any creditor of said vendor whether listed on the statement aforesaid or not shall object to the schedule of distribution of the proceeds of said sale by paper writing delivered to the purchaser prior to the time set for said sale, then the said purchaser or agent may, within ten days after the consummation of said sale, pay the purchase money of said sale, less the expenses of sale, into the Circuit Court for the county, in which the place of business of the vendor is situated or in the Circuit Court or Circuit Court No. 2 of Baltimore City, in case the place of business of the vendor is situated in Baltimore City, and said Court shall upon the application of any creditor make distribution of said fund to and among persons legally entitled thereto, in the same manner, as though a receiver had been appointed for said fund, and the said fund was being distributed under the orders of said Court. Provided, however, that the said purchaser may make distribution of the unpaid portion of the purchase price in accordance with the statement furnished as aforesaid, even though the vendor or any creditor should object, without applying to Court as aforesaid, but in that event the said purchaser shall be liable to the subsisting creditors of the vendor, as a trustee for the fair value of all the prop-