

erty so bought by him. And provided further, that no proceeding at law or equity shall be brought against the purchaser to invalidate any such sale after the expiration of ninety (90) days from the consummation thereof. Nothing herein contained shall prevent or hinder the vendor from demanding and receiving security from any purchaser or requiring a deposit, not to exceed ten (10) per cent of the purchase price, to insure faithful performance of the contract, agreeable to the provisions of this Act, prior to furnishing the list of creditors as hereinbefore set forth.

102. Any sale or transfer of a stock of goods, wares or merchandise out of the usual or ordinary course of the business (in the trade) of the vendor, or whenever thereby substantially the entire business (trade) theretofore conducted by the vendor shall be sold or conveyed, or attempted to be sold or conveyed, to one or more persons, shall be deemed a sale or transfer in bulk, in contemplation of this law. Provided, however, that if such vendor produces and delivers a written waiver of the provisions of this Act from his creditors as shown by such verified statement, or provided said verified statement sets forth that the vendor has no creditors, then the vendee may either immediately upon or any time after receipt of such a waiver or said statement showing that there are no creditors, consummate said sale and make payment in full to the vendor, without liability to any creditors of said vendor.

103. Nothing contained in the foregoing sections shall apply to sales made under any order of court, or by executors, administrators, receivers or any public officer conducting a sale in his official capacity, nor to any deed of trust executed for the benefit of the creditors.

104. Any vendor of a stock of goods, wares or merchandise under the provisions of Section 100 of this article or any person who is acting for or on behalf of any vendor who shall knowingly and wilfully make, or deliver, or cause to be made or delivered any statement required by said section, of which any material portion is false, or shall knowingly and wilfully fail to include the names of all the creditors of said vendor and the amounts due each in said statement, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars, (\$1,000) or by