

within four months after such notice,) have commenced an action, suit, or other proceeding to dispute the commission, and have prosecuted the same with due diligence and effect, the Gazette containing such notice shall be conclusive evidence in all cases, as well criminal as civil, against the bankrupt, and in all actions at law, or suits in equity, brought by, or against the assignees, or by or against any person claiming any right, estate, or interest, by, through or under the bankrupt, that such person against whom the commission issued became a bankrupt before the date and suing forth of the said commission, and that such commission was sued forth on the day in which the same is stated in the Gazette to bear date.

XIX. And be it enacted, that all payments, securities, conveyances or transfers of property, or agreements made or given by any trader in contemplation of bankruptcy, and for the purpose of giving any creditor, indorser, surety or other person, any preference or priority over the general creditors of such bankrupt, and all other payments, securities, conveyances or transfers of property or agreements, made or given by such trader in contemplation of bankruptcy, to any person or persons whatever, not being a *bonâ fide* creditor or purchaser for a valuable consideration without notice, shall be deemed utterly void, and a fraud under this Act; and the assignees under the bankruptcy shall be entitled to claim, sue for, recover and receive the same as part of the assets of the bankrupt, and the person making such unlawful preference or payment shall receive no discharge under the provisions of this Act: Provided always, that all dealings and transactions, by and with any bankrupt, *bonâ fide* made and entered into more than thirty days before the issuing of the commission against him, shall not be invalidated or affected by this Act: Provided, that the other party to such dealings or transaction had no notice of a prior act of bank-

Conveyances made for the purpose of giving undue preference to any creditor to be void.

Proviso.

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