he did not intend, if the court should decree a sale of the property for the benefit of creditors generally, to avail himself of the provisions of the deed for his reimbursement and indemnification. I do not think, therefore, that he is precluded by the form of his answer from showing himself to be a creditor, and receiving such proportion of the proceeds of the sales as he may be entitled to.

ALEXANDER and STOCKETT, for Complainants.
A. RANDALL, for Defendant.

ROBERT WYLIE AND ROBERT Y. WILSON
vs.
WILLIAM BASIL AND OTHERS.
} DECEMBER TERM, 1849.

[VACATING FRAUDULENT CONVEYANCES.]

PRIOR to the act of 1835, ch. 380, a creditor could not claim the aid of a court of equity in following real estate fraudulently conveyed away by his debtor, without first obtaining a judgment at law, nor personal estate, thus conveyed, without issuing a *fieri facias*, but this act has changed the law, in this respect, in this state.

The wife's share of her grandmother's personal estate was paid by the executor to the husband in his own right, and was applied by him in the purchase of property for which he took the deed in his own name, in 1842, and held the property as his own until 1847, when it was conveyed to his wife HELD—That under these circumstances the property could not be regarded as belonging to the wife, but was liable to the husband's creditors.

[The bill in this case was filed by the complainants, creditors of Wm. Basil, to vacate two conveyances therein referred to, one from Basil and wife, conveying a house and lot in the city of Annapolis, to William Brewer, for the consideration of four hundred dollars, as expressed on the face thereof, paid by the grantee to the grantors; the other from Brewer and wife, conveying the same property to the wife of Basil, also for the consideration expressed on the face of the deed of four hundred