

**379.070 Preferential or fraudulent transfer or purchase prior to deed of assignment -- Effect -- Action by assignee or creditor.**

If the assignor has, before making the deed of assignment, made a preferential or fraudulent transfer, conveyance or gift of any of his property or a fraudulent purchase of any property in the name of another, the property fraudulently transferred, conveyed, given or purchased shall vest in the assignee. The assignee shall institute the proceedings necessary to recover the property so disposed of, using any remedy which a creditor might exercise. If the assignee upon demand refuses to institute such proceedings, any creditor may do so, and the property recovered shall become a part of the estate and be distributed as other assets.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 84.