

CAP. XV.

An act for repealing a clause in the statute made in the twenty first year of the reign of King James the First, intituled, An act for the further description of a bankrupt, and relief of creditors against such as shall become bankrupts, and for inflicting corporal punishment upon the bankrupts, in some special cases, which make descriptions of bankrupts; and for the explanation of the laws relating to bankruptcy, in case of partnership.

21 Ja. 1. c. 19.

WHEREAS by an act made in the one and twentieth year of the reign of King James the First, intituled, An act for the further description of a bankrupt, and relief of creditors against such as shall become bankrupts, and for inflicting corporal punishment upon the bankrupts, in some special cases; it is, (amongst other things) enacted, That all and every person or persons using, or that should use the trade of merchandize, by way of bargaining, exchange, bartering, chevissance, or otherwise, in gross or by retail, or seeking his or her living by buying and selling, or that should use the trade or profession of a scrivener, receiving other mens monies or estates into his trust or custody, who, at any time after the end of the said session of parliament, being indebted to any person or persons in the sum of one hundred pounds or more, should not pay or otherwise compound for the same within six months next after the same should grow due, and the debtor be arrested for the same, or within six months after an original writ sued out to recover the said debt, and notice thereof given unto him, or left in writing at his or their dwelling-house or last place of abode, or being arrested for the sum of one hundred pounds or more of just debt or debts, should, at any time after such arrest, procure his enlargement by putting in common or hired bail, should be accounted and adjudged a bankrupt to all intents and purposes, and in the said cases of arrest, or getting forth by common or hired bail, from the time of his or her said first arrest: and whereas it is found by experience, that many and great mischiefs and inconveniences have happened, especially of late, to trade and credit in general, by reason of the said descriptions of a bankrupt: for remedy thereof for the future; be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That the said act, and also all and every other act and acts of parliament whatsoever, so far forth as they relate to the said descriptions of a bankrupt, be, from and after the twentieth day of April, in the year of our Lord one thousand seven hundred and twelve, repealed and made void; and that no person or persons whatsoever, within the said descriptions, or any of them, shall, from and after the said twentieth day of April, for or by reason of the same, be taken or adjudged to be within the statute or statutes of bankrupt whatsoever.

After April 20, 1712, the recited act, &c. so far as relates to the description of a bankrupt, repealed.

H. Provided

II. Provided nevertheless, and be it enacted by the authority aforesaid, That no act, sale, or disposition of any the estate of such persons within the said descriptions, or any distribution of the same, by or under any commission or commissions of bankruptcy, before the said twentieth day of *April*, taken out against such person or persons, shall be hereby impeached or frustrated, but the same shall be enjoyed for and towards satisfaction of the debts for which the same have been disposed or distributed.

Not to frustrate any act, sale, &c. of the estates of such persons, by any commission taken out before the said 20th of April,

III. *And whereas a doubt has arisen upon an act made in the fourth year of her Majesty's reign, intituled, An act to prevent frauds frequently committed by bankrupts, whether the discharge of a bankrupt, by virtue of that act, should be construed to discharge the partners of such bankrupt from the same debt; be it therefore further enacted and declared by the authority aforesaid, That by the discharge of any bankrupt or bankrupts, by force of the said act, or any other acts relating to bankrupts, from the debts by him, her, or them due and owing at the time that he, she, or they did become a bankrupt, shall not be construed, nor was meant or intended to release or discharge any other person or persons who was or were partner or partners with the said bankrupt in trade, at the time he, she, or they became a bankrupt, or then stood jointly bound, or had made any joint contract together with such bankrupt or bankrupts, for the same debt or debts from which he was discharged, as aforesaid, but that notwithstanding such discharge, such partner and partners, joint obligor and obligors, and joint contractors with such bankrupt and bankrupts, as aforesaid, shall be and stand chargeable with, and liable to pay such debt and debts, and to perform such contracts, as if the said bankrupt and bankrupts had never been discharged from the same.*

4 Ann. c. 17. By the discharge of a bankrupt his partner shall not be discharged.

C A P. XVI.

An act for regulating, improving, and encouraging the woollen manufacture of mixt or medley broad cloth, and for the better payment of the poor employed therein.

WHEREAS by the ill practices of some makers of mixture or medley broad cloth, and the unskilfulness of others, by excessive straining such clothes, and other abuses committed in working the same, great damages and disappointments have happened, not only to the buyers and wearers of the said cloth, but much to the disreputation of the said manufacture both at home and abroad, and the workers or poor labourers, employed in working and making up the said manufacture, have been impoverished, and are daily discouraged by imposing on them goods and wares of several kinds for their labour instead of ready money, which practices have been great discouragements to the good makers of, and fair dealers in the said mixture or medley broad cloth: for remedy therefore of the said ill practices or abuses, and in order to the reviving and preserving the reputation of the said cloth, both at home and abroad, and for the improvement thereof, and encouragement of all good makers and fair dealers therein, may it please your Majesty, that