ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

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C A P. XXIX.

An Act for the better Protection of Parties dealing with Persons liable to the Bankrupt Laws.

[19th *July* 1839.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the Laws relating to Bankrupts*, 6 G. 4. c. 16.
it was among other things enacted, that all Payments really and *bonâ fide* made by any Bankrupt or by any Person on his Behalf, before the Date and issuing of the Commission against such Bankrupt, to any Creditor of such Bankrupt, (such Payment not being a fraudulent Preference of such Creditor,) should be deemed valid, notwithstanding any prior Act of Bankruptcy by such Bankrupt committed, and that all Payments really and *bonâ fide* made to any Bankrupt before the Date and issuing of the Commission against such Bankrupt should be deemed valid, notwithstanding any prior Act of Bankruptcy committed, and that such Creditor should not be liable to refund the same to the Assignees of such Bankrupt, provided the Person so dealing with the Bankrupt had not at the Time of such Payment to such Bankrupt Notice of any Bankruptcy committed: And whereas by an Act passed in this present Session of Parliament, intituled *An Act for the better Protection of Purchasers against* 2 Vict c. 11.
Judgments, Crown Debts, Lis pendens, and Fiats in Bankruptcy, it is amongst other things enacted, that all Conveyances by any Bankrupt *bonâ fide* made and executed before the Date and issuing of the Fiat

against such Bankrupt shall be valid, notwithstanding any prior Act of Bankruptcy by him committed, provided the Person or Persons to whom such Bankrupt so conveyed had not at the Time of such Conveyance Notice of any prior Act of Bankruptcy by him committed: And whereas it is expedient that further Protection should be given to Persons dealing with Bankrupts before the issuing of any Fiat against them: Be it therefore 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 the Authority of the same, That all Contracts, Dealings, and Transactions by and with any Bankrupt really and *bonâ fide* made and entered into before the Date and issuing of the Fiat against him, and all Executions and Attachments against the Lands and Tenements or Goods and Chattels of such Bankrupt, *bonâ fide* executed or levied before the Date and issuing of the Fiat, shall be deemed to be valid, notwithstanding any prior Act of Bankruptcy by such Bankrupt committed; provided the Person or Persons so dealing with such Bankrupt, or at whose Suit or on whose Account such Execution or Attachment shall have issued, had not at the Time of such Contract, Dealing, or Transaction, or at the Time of executing or levying such Execution or Attachment, Notice of any prior Act of Bankruptcy by him committed; provided also, that nothing herein contained shall be deemed or taken to give Validity to any Payment made by any Bankrupt being a fraudulent Preference of any Creditor or Creditors of such Bankrupt, or to any Execution founded on a Judgment on a Warrant of Attorney or Cognovit given by any Bankrupt by way of such fraudulent Preference.

All Contracts, &c. bonâ fide made by and with any Bankrupt previous to the Date and issuing of any Fiat to be valid, &c. if no Notice had of prior Bankruptcy.

II. And be it further enacted, That this Act may be repealed or altered by any other Act in this present Session of Parliament.

Act may be repealed.

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