

rupt, if such partner of, or person so jointly bound or liable with such bankrupt, has not been included in such commission of bankruptcy; and provided always, that such Court may in its discretion grant such certificate to any one or more partners or persons so jointly bound or liable, and refuse or suspend the same as herein mentioned, as to any other partner or person so jointly bound or liable.

XLIX. And be it enacted, That no bankrupt shall be entitled to his certificate, and that any such certificate, if obtained, shall be void, if such bankrupt shall have lost, by any sort of gaming or wagering, in one day twenty pounds within one year next preceding the date of the commission against him, or one hundred pounds within that year; or if such bankrupt shall, after an act of bankruptcy, or in contemplation of bankruptcy, or with intent to defeat the object of this Act, have concealed, destroyed, altered, mutilated, or falsified, or caused to be concealed, destroyed, altered, mutilated or falsified, any of his books, papers, writings or securities, or made or been privy to the making of any false or fraudulent entry in any book of account, or other document, with intent to defraud his creditors, or shall have concealed any part of his property, or if any person having proved a false debt, under the commission, such bankrupt being privy thereto, or afterward knowing the same shall not have disclosed the same to the assignee within one month after his knowledge.

Cases in which certificate shall be required or be void if granted.

L. And be it enacted, That any bankrupt who shall, after his certificate shall have been confirmed, be arrested or have any action brought against him for any debt, claim or demand, proveable under the commission against such bankrupt, shall be discharged on entering common bail, or common appearance, and may plead in general that the cause of action occurred before he became bankrupt, and may give this Act and the special matter in evidence; and such bankrupt's certificate and the confirmation thereof, shall be sufficient evidence of the trading, bankruptcy, commission, and other proceedings precedent to the obtaining such certificate and confirmation; and if any such bankrupt shall be taken in execution, or be detained in prison for any such debt, claim, or defraud, when judgment has been obtained before the confirmation of his certificate, or if such bankrupt be detained in mesne process, it shall be lawful for any Judge of the Court, by the process of which such bankrupt is detained, on such bankrupt's producing his certificate to order any officer who shall have such bankrupt in custody by virtue of such process, to discharge such bankrupt without exacting any fee, and such officer shall be hereby indemnified for so doing.]

Discharge of any bankrupt who shall be sued or any debt contracted before the commission.