



# Mercantile Law Amendment Act Scotland 1856

## CHAPTER 60

### MERCANTILE LAW AMENDMENT ACT SCOTLAND 1856

- I Goods sold, but not delivered, not to be attachable by Creditors of the Seller.
- II Seller not entitled to a Right of Retention generally against Second Purchaser.
- III Arrestment and Poining of Goods by Seller.
- IV Rights of Landlord not to be affected.
- V Seller not held to warrant Goods, except there be an express Warranty in Contract.
- VI Guarantees, &c. to be in Writing.
- VII Guarantees to or for a Firm not to be binding after any Change of the Firm, except in special Cases.
- VIII Cautioners not to be entitled to Benefit of Discussion.
- IX Discharge of One Cautioner to operate as a Discharge to all.
- X Date of Bills or Notes may be proved by Parole.
- XI Acceptance of Bill of Exchange must be in Writing.
- XII All Bills drawn within the United Kingdom, &c. on any Party within the United Kingdom) &c. to be held Inland Bills.
- XIII Notarial Protest not to be necessary, except for the Purpose of Summary Diligence.
- XIV Notice of Dishonour in the Case of Inland Bills to be given as in the Case of Foreign Bills.
- XV When Bill lost, stolen, or fraudulently obtained, Holder must prove Value given.
- XVI Holder of Bill or Note indorsed after Period of Payment to be subject to Objections, &c.

*Status: This is the original version (as it was originally enacted).*

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- XVII Carriers to be liable for Losses by accidental Fires.
- XVIII Every Port in United Kingdom, &c. to be deemed a Home Port.
- XIX Court of Session to make Regulations for carrying Act into effect.
- XX Title of Act.
- XXI Act to apply to Scotland only.