

mission merchant, factor, agent, or other bailee or consignee, any other title or right to such articles consigned, than the special right or title to sell and deliver the same to a fair and bona fide purchaser, for a valuable consideration, and every mortgage, pledge, deposit, or other disposal by said commission merchants, factors, agents, bailees, or other consignees, of such articles thus consigned for sale alone, unless such mortgage, pledge, deposit, or other disposal shall be made with the consent of such grower, producer, or other owner, expressly given, shall be utterly null and void, and no title whatever to said articles, or any of them, shall pass to the person or persons so receiving the same, but the title thereto shall still remain in the said grower, producer, or other consignor thereof, in the same manner and to the same extent as if no such mortgage, pledge, deposit, or other disposal had been made of the same.

Authority to
be used here
1849
Title to
be used here
1849

SEC. 2. *And be it enacted*, That whenever any commission merchant, factor, agent, or other consignee shall be discharged under the insolvent laws of this State, no agricultural produce which may have been consigned to him for sale, and which may be on hand at the time of his application and discharge, not sold to a fair and bona fide purchaser, for a valuable consideration, in the true sense and meaning of the first section of this act, shall pass to the trustee of said insolvent, or be in any wise answerable for the debts of said insolvent, but all such agricultural produce so consigned and so on hand at the time of said application and discharge, shall be the right and property of the grower, producer, or other owner, who shall have so consigned the same, in the same manner and to the same extent as if no such consignment had ever been made.

Consignments
not to go into
the hands of the
trustee of in-
solvent agent

SEC. 3 *And be it enacted*, That nothing in this act contained shall be taken or construed in any manner to impair any right of lien which any commission merchant, factor, or agent may have acquired, or be entitled to for advances bona fide made, either in money or goods, to any such grower, producer, or owner, on the faith and security of such consignments, but the said right of lien shall be the same as it now exists by the course of the common law, and the courts of equity.

Not to impair
lien of agent

SEC. 4. *And be it enacted*, That the act of eighteen hundred and twenty-five, chapter one hundred and eighty-two, and the act of eighteen hundred and twenty-nine, chapter one hundred and ninety-eight,

Inconsistent
acts repealed.