

HOUSE.....No. 308.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 27, 1863.

The Committee on the Judiciary, to whom was referred the Senate Bill relating to the Punishment of certain Frauds, report the Bill in a new draft.

Per order,

DARWIN E. WARE.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-
Three.

AN ACT

Relating to the Punishment of certain Frauds and to
Proceedings in Insolvency.

*Be it enacted by the Senate and House of Representa-
tives, in General Court assembled, and by the authority of
the same, as follows:—*

1 SECT. 1. The offence described in the fifty-fourth
2 section of chapter one hundred and sixty-one of the
3 General Statutes, may be alleged in the indictment,
4 and may be prosecuted and punished, in any county
5 in which the false pretence, or the privy or false token
6 was made, written, or used, or in or through which
7 any of the property obtained is carried, sent, trans-
8 ported, or received by the party charged.

1 SECT. 2. Whoever, under false color and pretence
2 of carrying on business, and dealing in the ordinary

3 course of trade, obtains from any person goods or
4 chattels, with intent to defraud, shall be punished by
5 imprisonment in the state prison, not exceeding five
6 years, or by fine not exceeding five hundred dollars,
7 and imprisonment in the jail not more than two
8 years.

1 SECT. 3. Whoever buys, receives, or aids in the
2 concealment of goods or chattels, knowing the same
3 to have been obtained from any person under false
4 color and pretence of carrying on business, and deal-
5 ing in the ordinary course of trade, with intent to
6 defraud, shall be punished by imprisonment in the
7 state prison not exceeding five years, or by fine not
8 exceeding five hundred dollars, and imprisonment in
9 the jail not exceeding two years.

1 SECT. 4. If any person, being insolvent, under
2 false color and pretence of carrying on business, and
3 dealing in the ordinary course of trade, and with
4 intent to defraud, obtains goods or chattels amounting
5 in value to one hundred dollars or upwards, any cred-
6 itor whose claims provable against his estate amount
7 to the sum of one hundred dollars, may within ninety
8 days thereafter, proceed against him in the manner
9 provided in sections one hundred and three and one
10 hundred and four of chapter one hundred and eigh-
11 teen of the General Statutes, and such person shall
12 not be entitled to a certificate of discharge, and any
13 such discharge received by him shall be void and of
14 no effect.

