

No. XXII.

An Act for the more effectual prevention of Frauds and Abuses committed by persons employed in the manufacture of various Articles of Trade. [5th September, 1849.]

TRADE FRAUDS
PREVENTION.

WHEREAS many persons employed in the manufacture of divers Preamble. articles of trade have been guilty of frauds and abuses by purloining embezzling secreting selling pawning or otherwise unlawfully disposing of materials with which they have been intrusted and it is therefore become necessary to make provision for preventing such offences for the future. Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That if any person or persons whomsoever intrusted for the purpose of manufacture or for a special purpose connected with manufacture or who shall be employed to make any felt or hat or to prepare or work up any woollen linen fustian cotton iron leather fur hemp flax cotton silk or any such materials mixed one with another or with any other article materials fabric or thing or with any tools or apparatus for manufacturing the same shall sell pawn purloin secrete embezzle exchange or otherwise fraudulently dispose of the same or any part thereof he or she shall be deemed and adjudged guilty of a misdemeanor and upon being thereof lawfully convicted shall suffer fine and imprisonment at the discretion of the Court before whom such offender shall be tried.

Persons convicted of
pawning or embez-
zling any materials
intrusted to them
to be manufactured
guilty of a misde-
meanor.

2. And be it enacted That any person or persons who may receive accept or take by way of gift pawn pledge sale or exchange or in any other manner whatsoever of or from any person or persons hired or employed as aforesaid any such woollen linen fustian cotton iron leather fur hemp flax cotton silk or any such materials mixed one with another or any other articles materials fabric or thing whatsoever or any tools or apparatus for manufacturing or working up the same knowing that any such articles materials fabric or thing as aforesaid or any such tools or apparatus are purloined embezzled or secreted as aforesaid or that the person or persons offering the same

Persons knowingly
purchasing or
receiving purloined
materials or tools
guilty of a misde-
meanor.

Sydney and Melbourne Police Rate.

for sale or disposal as aforesaid are fraudulently disposing thereof shall be deemed and adjudged guilty of a misdemeanor and upon being thereof lawfully convicted shall suffer fine and imprisonment at the discretion of the Court before whom such offender shall be tried.

Workmen not returning the remains of the materials within thirty days guilty of misdemeanor.

3. And be it enacted That if any person or persons intrusted with any of the materials hereinbefore mentioned in order to prepare work up or manufacture the same shall not use all such materials in the preparing working up or manufacturing of the same and shall neglect or delay for the space of thirty days after such materials shall be prepared worked up or manufactured to return (if required in writing by the owner of such materials so to do) so much of the said materials as shall not be used as aforesaid to the person or persons intrusting him her or them therewith such neglect or delay shall be deemed and adjudged to be an embezzling purloining or secreting of such materials and the person or persons so neglecting or delaying being thereof lawfully convicted shall suffer fine and imprisonment at the discretion of the Court before whom such offender shall be tried.

Justices empowered to issue warrants.

4. And be it enacted That it shall be lawful for any Justice of the Peace upon information on oath to issue any search or apprehending warrant against any person or persons charged with any offence against the provisions of this Act and to proceed therein according to law.

Limitation of prosecutions.

5. And be it enacted That no offender against the provisions of this Act shall be liable to prosecution unless proceeding be commenced against such offender within six calendar months next after the offence shall have been committed.