

§ 142. Obtaining money, etc., by bad check or by means of credit card, etc.

Every person who, with intent to cheat and defraud another, shall obtain money, credit, goods, services, release from any debt or obligation for services, or for materials or labor in the construction or repair of any building or buildings, wares or anything of value, five hundred dollars or more, by means of a check, draft or any other negotiable instrument of any kind drawn, whether by such person or by any other person, persons, firm or corporation, upon any bank, person, firm, or corporation not indebted to drawer, or where the drawer or drawers thereof, shall not have provided for the payment or acceptance, or by means of a credit card or purported credit authorization which he is not authorized to present and use for such purpose, and the same be not paid upon presentation, shall be deemed to have obtained such money, credit, goods, services, release, wares, or things of value by means of a false pretense, and upon conviction, shall be fined or imprisoned, or both, as provided in § 140 of this article, at the discretion of the court. Where the value of such money, credit, goods, services, release, wares, or anything of value is less than five hundred dollars, such person, upon conviction, shall be deemed guilty of a misdemeanor and fined not more than five hundred dollars or imprisoned for not more than eighteen months in the house of correction or jail, or both fined and imprisoned in the discretion of the court [and the trial magistrates and judges of the courts of limited jurisdiction acting with the authority heretofore vested in the trial magistrates of the counties shall have concurrent jurisdiction over such offense with the circuit courts of the counties]. The giving of the aforesaid worthless check, draft or negotiable instrument, or of the credit card or purported credit authorization, shall be prima facie evidence of intent to cheat or defraud; provided that if such person shall be a bona fide resident of the State of Maryland and shall deposit with the drawee of such paper or the acceptor of the credit card or purported credit authorization within ten days thereafter funds sufficient to meet the same, with all costs and interest which may have accrued he shall not be prosecuted under this section, and no prosecution either by presentment, indictment or otherwise, shall be instituted or commenced until after the expiration of said period of ten days. [In Baltimore City, where the amount of money or the value of the thing received does not exceed five hundred dollars (\$500.00), the Municipal Court of Baltimore City shall have jurisdiction to try persons charged with violating this section, provided that persons so convicted in the Municipal Court shall not be sentenced to the penitentiary by that court.]

§ 144. Obtaining money, etc., by check or other negotiable instrument with intent to stop payment.

Every person who shall obtain money, credit, goods, wares or anything of value, of the value of one hundred dollars or more, from another by means of a check, draft or any other negotiable instrument of any kind, with intent at the time of giving such instrument without the consent of such other to stop or countermand the payment of the same or otherwise to cause the drawee thereof to disregard or dishonor or refuse to recognize such instrument, shall be deemed to have obtained such money, credit, goods, wares, or other thing of value with intent to cheat and defraud another and upon conviction,