

Fraud—Boarding House, Hotel and Livery Stable Keepers.

An. Code, sec. 133. 1904, sec. 120. 1892, ch. 42. 1894, ch. 418. 1898, ch. 287, sec. 84A.

154. Every person who shall by any false or fraudulent representations, or by any false show of baggage, goods or chattels, which are calculated to deceive any hotel proprietor, keeper or manager, obtain lodging or credit, or the use of any horse or vehicle, or food or stabling for a horse or horses in any hotel in this State, or from the keeper of any livery stable, and shall subsequently refuse, decline or fail to pay for his credit, board or lodging, or use of horse or food or stabling for horse furnished him, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than one hundred dollars or by imprisonment in jail for a term of not less than one month nor more than six months, or by both such fine and imprisonment in the discretion of the court.

An. Code, sec. 134. 1904, sec. 121. 1894, ch. 418. 1898, ch. 287, sec. 84B. 1912, ch. 687. 1918, ch. 279. 1924, ch. 447.

155. Every person who shall at any hotel, inn, boarding house, hospital, sanitarium or livery stable receive or cause to be furnished any food or accommodation for man or beast, and shall fraudulently fail to pay for same, and every person who shall obtain credit at any hotel, inn, boarding house, hospital or sanitarium by the use of any false pretense or device, or by fraudulently depositing at such hotel, inn, boarding house, hospital or sanitarium any baggage or property of value less than the amount of such credit or of the bill by such person incurred; and every person who, after obtaining credit or accommodation at any hotel, inn, boarding house, hospital or sanitarium shall abscond or fraudulently depart or remove his baggage therefrom without discharging the debts as aforesaid incurred, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars or by imprisonment in jail for a term of not less than one month nor more than six months, or by both such fine and imprisonment, in the discretion of the Court. And in determination of any question arising under this section the fact that any such person so obtaining food, accommodation or credit, upon request or demand for payment of any amount then due therefor failed or neglected to comply with such demand shall be treated as presumptive evidence that such failure or neglect to make such payment was fraudulent and similarly the fact that the departure of any such person or removal of his baggage without first paying or discharging his debt as aforesaid was without the knowledge or consent of the proprietor or manager of such hotel, inn, boarding house, hospital or sanitarium, or the representative or agent of such proprietor or manager, shall be treated as presumptive evidence that such departure or removal was fraudulent. Nothing in this Section shall apply to or affect the prosecution of any offense which may have been committed prior to June 1, 1924, or the punishment provided for such offense.¹

¹ See sec. 155A.