

**Punishment.** State, or to any other person by law authorized to receive the same, shall be guilty of a misdemeanor, and shall upon conviction thereof be sentenced to the penitentiary for not less than eighteen months nor more than ten years.

1872, c 423  
Embezzlement  
by hirer of personal chattel.

**57.** Every hirer of a personal chattel of the value of twenty dollars and upwards, who shall secrete, make away with, sell, or otherwise dispose of the same, with intent to defraud the owner thereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be liable to a fine, not exceeding double the value of the article disposed of, and imprisonment for a term not exceeding thirty days, or either, at the discretion of the court.

**Punishment**

#### FALSE PRETENCES.

Art 30, s 52  
1845, c 319, ss.  
1, 2  
False pretences

**58.** Any person who shall, by any false pretence, obtain from any other person any chattel, money, or valuable security with intent to defraud any person of the same, shall be guilty of a misdemeanor, and being convicted thereof shall be liable, at the discretion of the court, to be punished by fine and imprisonment, or by confinement in the penitentiary for not less than two years nor more than ten years, as the court shall award; *provided*, always, that if, upon the trial of any person indicted for such misdemeanor, it shall be proved that he obtained the property in question in any such manner as to amount in law to larceny or robbery, he shall not, by reason thereof, be entitled to be acquitted of such misdemeanor; and no person tried upon such misdemeanor shall be afterwards liable to be prosecuted for larceny or robbery upon the same facts; and, *provided*, also, that a mere promise for future payment, though not intended to be performed, shall not be sufficient to authorize a conviction under this section.

**Punishment.**

#### FRAUDULENT CONVERSION.

1867, c 386  
Conversion to  
their own use  
by brokers, etc,  
of money or  
securities  
intrusted.

**59.** If any money or security for the payment of money shall be intrusted to any hanker, broker, merchant, attorney, or other agent, with any direction in writing to apply such money, or any part thereof, or the proceeds, or any part of the proceeds of such security, for any purpose specified in such direction, and he shall, in violation of good faith, and contrary to the purpose so specified, in anywise convert to his own use and benefit such money, security, or proceeds, or any part thereof, respectively, every such offender shall be guilty of a misdemeanor, and being convicted thereof shall be imprisoned in the penitentiary for a term of not more than ten years or less than three years, and be fined not more than five thousand nor less than one thousand dollars; and, if any chattel, or valuable security, or any power of attorney for the sale or transfer of any share or interest, or certificate of any share or interest in any stock of this, or of any other State, or of the United States, or of any foreign state, or in any funds or capital stock of any body corporate, company, or society, shall be intrusted to any banker, broker, merchant, attorney or other agent, for safe custody, or for any special purpose

**Punishment.**