

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1970.

Approved April 22, 1970

CHAPTER 350

(House Bill 594)

AN ACT to repeal and re-enact, with amendments, Section 140 of Article 27 of the Annotated Code of Maryland (1969 Supplement), title "Crimes and Punishments," subtitle "False Pretenses, Bad Checks, Etc.," adding Baltimore County to the list of those counties which allow the People's Court and trial magistrates to prosecute one for obtaining money or checks by false pretenses where the amount does not exceed three hundred dollars (\$300.00).

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 140 of Article 27 of the Annotated Code of Maryland (1969 Supplement), title "Crimes and Punishments," subtitle "False Pretenses, Bad Checks, Etc.," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

140.

Any person who shall by any false pretense 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 charged with 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 for larceny or robbery upon the same facts; and provided also, that a mere promise to be prosecuted for future payment, though not intended to be performed, shall not be sufficient to authorize a conviction under this section. In Wicomico County, St. Mary's County, Worcester County, Caroline County, Prince George's County, *Baltimore County*, and Anne Arundel County where the amount of money or the value of the thing received does not exceed three hundred dollars (\$300.00), the people's court and the trial magistrates, respectively, shall have concurrent jurisdiction with the circuit court to try persons charged with violating this section and Sections 142 and 144 of this article, provided that persons so convicted in the people's court or trial magistrate's court shall not be sentenced to the penitentiary by that court. 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.