

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 for future payment, though not intended to be performed, shall not be sufficient to authorize a conviction under this section.]

[ 141.

Any person who shall by any false pretense obtain a credit or rating from any person, firm, corporation, association, mercantile or rating agency, or who shall cause or procure any person, firm, corporation, association, mercantile or rating agency to publish or furnish to any third person any rating or credit obtained by any false pretense made to such person, firm, corporation, association, mercantile or rating agency, and who shall obtain from any third person any goods, wares, merchandise, credit or anything of value upon the credit or rating obtained, procured, published or furnished as aforesaid shall be deemed guilty of a misdemeanor and shall be punished as provided in § 140.]

[ 142.

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