

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 in an amount in excess of the realizable value of such baggage, goods or chattels, and shall subsequently refuse, decline or fail to pay in full for his credit, board or lodging, whether or not such person shall have made any payment on account 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.]

[162.

Every person who shall at any restaurant, tavern or the like, or at any hotel, inn, boardinghouse, hospital or sanitarium receive or cause to be furnished any food, beverage or accommodation and shall fraudulently fail to pay in full for same, whether or not such person shall have made any payment on account, and every person who shall obtain credit at any restaurant, tavern or the like, or at any hotel, inn, boardinghouse, hospital or sanitarium by the use of any false pretense or device, or by fraudulently depositing at such restaurant, tavern or the like, or at any hotel, inn, boardinghouse, hospital or sanitarium any baggage or property of a realizable value less than the amount of such credit or of the bill by such person incurred whether or not such person shall have made any payment on account; and every person who, after obtaining credit or accommodation at any restaurant, tavern or the like, or at any hotel, inn, boardinghouse, hospital or sanitarium shall abscond or fraudulently depart or fraudulently remove his baggage therefrom without discharging the debts as aforesaid incurred, whether or not such person shall have made any payment on account, 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 or beverage, accommodation or credit, upon request or demand for payment of any amount then due therefor failed or neglected to comply in full with such demand shall be treated as presumptive evidence that such failure or neglect to make such payment was fraudulent even though payment of a portion of amount then due shall have been made or a payment on account for the food or beverage, accommodation or credit so obtained had theretofore been made, and similarly the fact that the departure of any such person or removal of his baggage without first paying or discharging in full his debts as aforesaid, even though a payment on account of such debt may have been made, was without the knowledge or consent of the proprietor or manager of such restaurant, tavern or the like, or hotel,