

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 137

In Senate, Feb. 9, 1917.

Reported by Mr. Davies for Committee on Judiciary. Ordered printed under joint rules.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to punish the giving of checks, or drafts, on any bank or other depository, wherein the person so giving such check or draft, shall not have sufficient funds or credit for the payment of the same.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Any person who, with intend to defraud, shall
2 make or draw, or utter or deliver, any check, draft or order,
3 for the payment of money, upon any bank or other deposit-
4 ary, knowing at the time of such making, drawing, uttering or
5 delivering, that the maker, or drawer, has not sufficient funds

6 in, or credit with, such bank or other depositary, for the
7 payment of such check, draft, or order, in full, upon its
8 presentation, shall be guilty of a misdemeanor, and punish-
9 able by imprisonment for not more than one year, or by a
10 fine of not more than one thousand dollars or both fine and
11 imprisonment.

Sect. 2. As against the maker or drawer thereof, the
2 making, drawing, uttering or delivering of a check, draft or
3 order, payment of which is refused by the drawee, shall be
4 prima facie evidence of intent to defraud and of knowledge
5 of insufficient funds in, or credit with, such bank or other
6 depositary, provided such maker or drawer shall not have
7 paid the drawee or holder thereof the amount due thereon,
8 together with all costs and protest fees, within five days after
9 receiving notice that such check, draft or order has not been
10 paid by the drawee.

Sect. 3. The word "credit" as used herein, shall be con-
2 strued to mean an arrangement or understanding with the
3 bank or depositary, for the payment of such check, draft or
4 order.

Sect. 4. All acts and parts of acts inconsistent herewith,
2 and particularly Section thirteen of Chapter one hundred
3 twenty-eight of the Revised Statutes of nineteen hundred
4 sixteen are hereby repealed.