

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 223  
HOUSE BILL 255

1 AN ACT TO PROHIBIT ANY PERSON FROM OBTAINING OR ATTEMPTING TO  
2 OBTAIN GOODS, PROPERTY OR SERVICES BY FALSE OR FRAUDULENT USE OF  
3 CREDIT CARDS OR OTHER FALSE AND FRAUDULENT MEANS AND TO  
4 PRESCRIBE PENALTIES THEREFOR.

5  
6 The General Assembly of North Carolina do enact:  
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8 **Section 1.** It shall be unlawful for any person knowingly to obtain or attempt to  
9 obtain credit, or to purchase or attempt to purchase any goods, property or service, by the use of  
10 any false, fictitious, or counterfeit credit card, telephone number, credit number or other credit  
11 device, or by the use of any credit card, telephone number, credit number or other credit device  
12 of another without the authority of the person to whom such card, number or device was issued,  
13 or by the use of any credit card, telephone number, credit number or other credit device in any  
14 case where such card, number or device has been revoked and notice of revocation has been  
15 given to the person to whom issued.

16 **Sec. 2.** It shall be unlawful for any person to obtain or attempt to obtain, by the use  
17 of any scheme, device, means or method, telephone or telegraph service or the transmission of  
18 any message, signal or other communication by telephone or telegraph, or over telephone or  
19 telegraph facilities, with intent to avoid payment of the lawful price, charge or toll therefor.

20 **Sec. 3.** The word "notice" as used in Section 1 of this Act shall be construed to  
21 include either notice given in person or notice given in writing to the person to whom the  
22 number, card or device was issued. The sending of a notice in writing by registered or certified  
23 mail in the United States mail, duly stamped and addressed to such person at his last address  
24 known to the issuer, shall be prima-facie evidence that such notice was duly received after five  
25 days from the date of deposit in the mail.

26 **Sec. 4.** The presentation or use of a revoked, false, fictitious or counterfeit credit  
27 card, telephone number, credit number, or other credit device for the purpose of obtaining  
28 credit or the privilege of making a deferred payment for the article or service purchased shall be  
29 prima-facie evidence of knowledge that the said credit device is revoked, false, fictitious or  
30 counterfeit; and the unauthorized use of any credit card, telephone number, credit number or  
31 other credit device of another shall be prima-facie evidence of knowledge that such use was  
32 without the authority of the person to whom such card, number or device was issued.

33 **Sec. 5.** Any person violating any of the provisions of this Act shall be guilty of a  
34 misdemeanor and shall upon conviction be fined or imprisoned or both at the discretion of the  
35 court.

36 **Sec. 6.** All laws and clauses of laws in conflict with this Act are hereby repealed,  
37 provided that this shall not be construed as repealing General Statutes Section 14-100.

38 **Sec. 7.** This Act shall be in full force and effect from and after its ratification.

39 In the General Assembly read three times and ratified, this the 14th day of April,  
40 1961.