

## CHAPTER 228

## CRIMES INVOLVING BILLS OF LADING

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|---------------------------------------------------------|----------------------------------------------------------|
| 228.45 Issuing bill for goods not received, controlled. | 228.49 Negotiating bill for goods carrier does not have. |
| 228.46 Issuing a bill with a false statement in it.     | 228.50 Getting carrier without goods to issue a bill.    |
| 228.47 Issuing a duplicate bill with fraud in mind.     | 228.51 Issuing a nonnegotiable bill not so marked.       |
| 228.48 Negotiating bill without clear title to goods.   |                                                          |

NOTE: For penalties for the violation of the provisions of this chapter, see section 235.13.

- 228.01 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.02 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.03 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.04 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.05 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.06 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.07 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.08 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.09 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.10 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.11 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.12 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.13 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.14 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.15 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.16 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.17 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.18 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.19 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.20 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.21 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.22 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.23 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.24 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.25 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.26 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.27 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.28 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.29 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.30 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.31 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.32 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.33 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.34 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.35 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.36 [Repealed, 1965 c 811 art 10 s 336.10-102]

- 228.37 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.38 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.39 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.40 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.41 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.42 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.43 [Repealed, 1965 c 811 art 10 s 336.10-102]  
 228.44 [Repealed, 1965 c 811 art 10 s 336.10-102]

#### 228.45 ISSUING BILL FOR GOODS NOT RECEIVED, CONTROLLED.

Subdivision 1. **Elements of crime.** An officer, agent, or employee of a carrier, who with intent to defraud issues or helps to issue a bill knowing that all or part of the goods for which the bill is issued are not received or are not under the carrier's control at the time of issuing the bill, is guilty of a crime. Goods are received if they are received by the carrier, by an agent of the carrier, or by a connecting carrier.

Subd. 2. **Five years; \$10,000.** Whoever commits the crime described in subdivision 1 may be sentenced for each offense to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

**History:** (5002) 1917 c 399 s 44; 1984 c 628 art 3 s 11; 1988 c 469 art 4 s 1

#### 228.46 ISSUING A BILL WITH A FALSE STATEMENT IN IT.

Subdivision 1. **Elements of crime.** An officer, agent, or employee of a carrier, who with intent to defraud issues or helps to issue a bill for goods knowing that the bill contains a false statement, is guilty of a crime.

Subd. 2. **One year; \$3,000.** Whoever commits the crime described in subdivision 1 may be sentenced for each offense to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

**History:** (5003) 1917 c 399 s 45; 1984 c 628 art 3 s 11; 1988 c 469 art 4 s 1

#### 228.47 ISSUING A DUPLICATE BILL WITH FRAUD IN MIND.

Subdivision 1. **Elements of crime.** An officer, agent, or employee of a carrier, who with intent to defraud issues or helps to issue a negotiable bill for goods; knowing that another negotiable bill for some or all of the goods is outstanding and uncanceled, is guilty of a crime.

Subd. 2. **Exceptions.** Issuing bills in a set over issue of documents for fungible goods and issuing substitutes for lost, stolen, or destroyed documents are not violations of subdivision 1.

Subd. 3. **Five years; \$10,000.** Whoever commits the crime described in subdivision 1 may be sentenced for each offense to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

**History:** (5004) 1917 c 399 s 46; 1965 c 812 s 5; 1984 c 628 art 3 s 11; 1988 c 469 art 4 s 1

#### 228.48 NEGOTIATING BILL WITHOUT CLEAR TITLE TO GOODS.

Subdivision 1. **Elements of crime.** If:

(1) a person ships goods without having title to the goods or with a lien or mortgage on them;

(2) the person takes a negotiable bill for the goods; and

(3) the person later negotiates the bill for value with intent to deceive and without disclosing the lack of title or the existence of the lien or mortgage;

then the person is guilty of a crime.

Subd. 2. **One year; \$3,000.** Whoever commits the crime described in subdivision

1 may be sentenced for each offense to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

**History:** (5005) 1917 c 399 s 47; 1984 c 628 art 3 s 11; 1986 c 444; 1988 c 469 art 4 s 1

#### 228.49 NEGOTIATING BILL FOR GOODS CARRIER DOES NOT HAVE.

Subdivision 1. **Elements of crime.** If:

- (1) a carrier issues a bill for goods;
- (2) the goods by the terms of the bill appear to have been received for transportation by the carrier; and
- (3) a person intending to deceive negotiates or transfers the bill for value knowing that the carrier or a connecting carrier does not have or control some or all of the goods; then the person is guilty of a crime.

Subd. 2. **Five years; \$10,000.** Whoever commits the crime described in subdivision 1 may be sentenced for each offense to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

**History:** (5006) 1917 c 399 s 48; 1984 c 628 art 3 s 11; 1988 c 469 art 4 s 1

#### 228.50 GETTING CARRIER WITHOUT GOODS TO ISSUE A BILL.

Subdivision 1. **Elements of crime.** If:

- (1) a person gets an officer, agent, or employee of a carrier falsely to believe that the carrier has or controls goods;
- (2) the person, with intent to defraud, gets the carrier to issue a bill for the goods; and
- (3) the person knows that, when the bill is issued, some or all of the goods described in the bill have not been received by the carrier, an agent of the carrier, or a connecting carrier, and are not under the carrier's control; then the person is guilty of a crime.

Subd. 2. **Five years; \$10,000.** Whoever commits the crime described in subdivision 1 may be sentenced for each offense to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

**History:** (5007) 1917 c 399 s 49; 1984 c 628 art 3 s 11; 1988 c 469 art 4 s 1

#### 228.51 ISSUING A NONNEGOTIABLE BILL NOT SO MARKED.

Subdivision 1. **Elements of crime.** A person who with intent to defraud issues or helps to issue a nonnegotiable bill without putting the words "not negotiable" plainly on the face of the bill, is guilty of a crime.

Subd. 2. **Five years; \$10,000.** Whoever commits the crime described in subdivision 1 may be sentenced for each offense to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

**History:** (5008) 1917 c 399 s 50; 1984 c 628 art 3 s 11; 1988 c 469 art 4 s 1

228.52 [Repealed, 1965 c 811 art 10 s 336.10-102]

228.54 [Repealed, 1965 c 811 art 10 s 336.10-102]

228.55 [Repealed, 1965 c 811 art 10 s 336.10-102]