

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part VII. Crimes Against Property

Chapter 70: Other Offenses Against Property Rights

§ 1834. Chattels encumbered by mortgage, conditional sales contract or security agreement--Removal or destruction

Cite as: 21 CNCA § 1834

Any mortgagor, conditional sales contract vendee, pledgor or debtor under a security agreement of personal property, or his or her legal representative, who, while such mortgage, security agreement or conditional sales contract remains in force and unsatisfied, conceals, sells or in any manner disposes of such property, or any part thereof, or removes such property, or any part thereof, beyond the limits of the county, or materially injures or willfully destroys such property, or any part thereof, without the written consent of the holder of such mortgage or conditional sales contract, secured party or pledgee under a security agreement shall, upon conviction, be guilty of a felony if the value of the property is One Thousand Dollars (\$1,000.00) or more and shall be punished by imprisonment in the custody of the Department of Corrections for a period not exceeding three (3) years, or by a fine of not to exceed Five Hundred Dollars (\$500.00). If the value of the property is less than One Thousand Dollars (\$1,000.00), the person shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment for a term not exceeding one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00). Provided, however, the writing containing the consent of the holder of the mortgage or conditional sales contract, secured party or pledgee under a security agreement, as before specified, shall be the only competent evidence of such consent, unless it appears that such writing has been lost or destroyed.

Historical Data

LA 07-21, eff. February 22, 2021.