

[CHAPTER 599]

AN ACT

August 12, 1937
[H. R. 6388]
[Public, No. 268]

To amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia, relating to offenses against property.

District of Columbia Code, amendments.
Offenses against property.
31 Stat. 1323-1328.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter 2 of chapter 19 of the Act to establish a Code of Law for the District of Columbia, approved March 3, 1901, and the Acts amendatory thereof (the same being title 6 of 1929 D. C. Code), be, and the same are hereby, amended as follows:

By striking out section 826 (title 6, sec. 60, 1929 D. C. Code) and inserting in lieu thereof the following:

Grand larceny.

"SEC. 826 (title 6, sec. 60, 1929 D. C. Code). GRAND LARCENY¹.—Whoever shall feloniously take and carry away anything of value of the amount or value of \$50 or upward, including things savoring of the realty, shall suffer imprisonment for not less than one nor more than ten years."

By striking out section 827 (title 6, sec. 61, 1929 D. C. Code) and inserting in lieu thereof the following:

Petit larceny; order of restitution.

"SEC. 827 (title 6, sec. 61, 1929 D. C. Code). PETIT LARCENY; ORDER OF RESTITUTION.—Whoever shall feloniously take and carry away any property of value of less than \$50, including things savoring of the realty, shall be fined not more than \$200 or be imprisoned for not more than one year, or both. And in all convictions for larceny, either grand or petit, the trial justice may, in his sound discretion, order restitution to be made of the value of the money or property shown to have been stolen by the defendant and made way with or otherwise disposed of and not recovered."

By striking out section 842 (title 6, sec. 85, 1929 D. C. Code) and inserting in lieu thereof the following:

False pretenses.

"SEC. 842 (title 6, sec. 85, 1929 D. C. Code). FALSE PRETENSES.—Whoever, by any false pretense, with intent to defraud, obtains from any person anything of value, or procures the execution and delivery of any instrument of writing or conveyance of real or personal property, or the signature of any person, as maker, endorser, or guarantor, to or upon any bond, bill, receipt, promissory note, draft or check, or any other evidence of indebtedness, and whoever fraudulently sells, barter, or disposes of any bond, bill, receipt, promissory note, draft or check, or other evidence of indebtedness, for value, knowing the same to be worthless, or knowing the signature of the maker, endorser, or guarantor thereof to have been obtained by any false pretense, shall, if the value of the property or the sum or value of the money or property so obtained, procured, sold, bartered, or disposed of is \$50 or upward, be imprisoned not less than one year nor more than three years; or, if less than that sum, shall be fined not more than \$200 or imprisoned for not more than one year, or both. Any person who obtains any lodging, food, or accommodation at an inn, boarding house, or lodging house, without paying therefor, with intent to defraud the proprietor or manager thereof, or who obtains credit at such an inn, boarding house, or lodging house by the use of any false pretense, or who, after obtaining credit or accommodation at such an inn, boarding house, or lodging house, absconds or surreptitiously removes his baggage therefrom without paying for his food, accommodation, or lodging, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the police court of the District of Columbia be fined not more than \$100 or imprisoned not more than six months, or both, in the discretion of said court."

Defrauding inn-keeper, etc.

¹ So in original.

By striking out section 847 (title 6, sec. 91, 1929 D. C. Code) and inserting in lieu thereof the following:

"SEC. 847 (title 6, sec. 91, 1929 D. C. Code). Whoever maliciously cuts down or destroys by girdling or otherwise, any standing or growing vine, bush, shrub, sapling, or tree on the land of another, or severs from the land of another any product standing or growing thereon, or any other thing attached thereto, shall, if the value of the thing destroyed or the amount of damage done to any such thing or to the land is \$50 or more, be imprisoned for not less than one year nor more than three years, or, if such value or amount is less than that sum, shall be fined not less than \$5 nor more than \$100, or be imprisoned not more than one year, or both."

Malicious cutting down or destroying trees, etc.

By striking out section 848 (title 6, sec. 53, 1929 D. C. Code) and inserting in lieu thereof the following:

"SEC. 848 (title 6, sec. 53, 1929 D. C. Code). Whoever maliciously injures or destroys, or attempts to injure or destroy, by fire or otherwise, any movable property not his own, of the value of \$50 or more, shall be imprisoned for not less than one year and not more than ten years, and if the value of the property be less than \$50 by a fine not exceeding \$200 or by imprisonment not exceeding one year, or both."

Malicious burning, etc., of movable property.

By striking out section 851a and inserting in lieu thereof the following:

"SEC. 851a. Whoever shall be guilty of any offense defined in sections 834 (title 6, sec. 76, 1929 D. C. Code), 835 (title 6, sec. 77, 1929 D. C. Code), 836 (title 6, sec. 78, 1929 D. C. Code), 837 (title 6, sec. 79, D. C. Code), and 838 (title 6, sec. 80, 1929 D. C. Code) of the Code of Law for the District of Columbia shall, where the thing, evidence of debt, property, proceeds, or profits be of the value of less than \$50 be punished by imprisonment for not more than one year or a fine of not more than \$200 or both."

Penalties for designated offenses.

By striking out section 851b (title 6, sec. 98, 1929 D. C. Code) and inserting in lieu thereof the following:

"SEC. 851b (title 6, sec. 98, 1929 D. C. Code). That if any person entrusted with the possession of anything of value, including things savoring of the realty, for the purpose of applying the same for the use and benefit of the owner or person, so delivering it, shall fraudulently convert the same to his own use he shall, where the value of the thing so converted is \$50 or more, be punished by imprisonment for not less than one nor more than ten years, or by a fine of not more than \$1,000, or both; and where the value of the thing so converted is less than \$50 he shall be punished by imprisonment for not more than one year or by a fine of not more than \$500, or both: *Provided*, That nothing contained in this section shall be construed to alter or repeal any section contained in subchapter 2 of chapter 19 of this Code (title 6, ch. 3, 1929 D. C. Code)."

Larceny after trust.

Proviso.
Existing provisions not affected.

Approved, August 12, 1937.

[CHAPTER 600]

AN ACT

To legalize a dike in the Missouri River six and nine-tenths miles downstream from the South Dakota State highway bridge at Pierre, South Dakota.

August 12, 1937

[H. R. 6693]

[Public, No. 269]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dike constructed from the left bank of the Missouri River to Farm Island, mile 1167.1 above the mouth, or six and nine-tenths miles downstream from the South Dakota State highway bridge at Pierre, South Dakota, by the South Dakota State Highway Commission, be, and the same is hereby, legalized to the same extent and with like effect

Missouri River.
Dike to Farm Island in, near Pierre, S. Dak., legalized.