

[CHAPTER 605]

AN ACT

To amend sections 4 and 8 of the Act of September 2, 1937, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of September 2, 1937 (50 Stat. 917; 16 U. S. C. 699), is hereby amended by striking out the provisos thereof and inserting in lieu thereof the following: "*Provided*, That such apportionments shall be adjusted equitably so that no State shall receive less than one-half of 1 per centum nor more than 5 per centum of the total amount apportioned to all the States."

Sec. 2. That section 8 of said Act is amended so as to read as follows:

"SEC. 8. Maintenance of wildlife-restoration projects established under the provisions of this Act shall be the duty of the States in accordance with their respective laws: *Provided*, That beginning July 1, 1945, the term 'wildlife-restoration project', as defined in section 2, shall include maintenance of completed projects, but not more than 25 per centum of the total amount apportioned to any State under the provisions of this Act may be expended for such maintenance."

Approved July 24, 1946.

[CHAPTER 606]

AN ACT

To amend the law relating to larceny in interstate or foreign commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 13, 1913, as amended (47 Stat. 773; U. S. C., title 18, secs. 409 to 411), be, and it is hereby, amended to read as follows:

"(a) Whoever shall—

"(1) unlawfully break the seal or lock of or enter any railroad car, vessel, aircraft, motortruck, wagon, or other vehicle containing interstate or foreign shipments of freight or express, with intent to commit larceny therein; or

"(2) embezzle, steal, or unlawfully take, carry away, or conceal, or by fraud or deception obtain from any—

(i) railroad car, motortruck, wagon, or other vehicle,

(ii) station house, platform, depot, or terminal,

(iii) steamboat, vessel, or wharf,

(iv) aircraft, airport, aircraft terminal or air navigation facility,

any goods or property moving as or which are a part of or which constitute an interstate or foreign shipment of freight or express, with intent to convert such goods or property to his own use, or shall buy, receive, or have in his possession any such goods or property, knowing the same to have been embezzled or stolen; or

"(3) embezzle, steal, or unlawfully take, carry away, or by fraud or deception obtain any baggage which shall have come into the possession of any carrier for transportation in interstate or foreign commerce, or shall break into, steal, take, carry away, or conceal any of the contents thereof, with intent to convert the same or any part thereof to his own use, or shall buy, receive, or

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[H. R. 3821]

[Public Law 533]

Wildlife-restoration projects.

50 Stat. 918.
16 U. S. C. § 669c;
Supp. V, § 669c note.
Apportionments.

50 Stat. 919.

16 U. S. C. § 669g.

State maintenance of established projects.

July 24, 1946

[H. R. 4180]

[Public Law 534]

Larceny in interstate or foreign commerce.

37 Stat. 670.

Unlawful entry, etc.

Embezzlement, etc., of property.

Possession.

Baggage.

have in his possession any such baggage or any article therefrom, of whatever nature, knowing the same to have been embezzled or stolen; or

“(4) embezzle, steal, or unlawfully take by any fraudulent device, scheme, or game, from any railroad car, motortruck, steamboat, vessel, aircraft, or other vehicle operated by any carrier, or from any passenger or employee thereon, when such railroad car, or the train of which it is a part, motortruck, steamboat, vessel, aircraft, or other vehicle is moving in interstate or foreign commerce, any money, baggage, goods, or property, with intent to convert the same or any part thereof to his own use, or shall buy, receive, or have in his possession any such money, baggage, goods, or property, knowing the same to have been embezzled or stolen; or

Money, etc.

“(5) being an employee of any carrier riding in, on or upon any railroad car, motortruck, steamboat, vessel, aircraft, or other vehicle of such carrier transporting passengers or property in interstate or foreign commerce and having in his custody funds arising out of or accruing from such transportation, embezzle or unlawfully convert to his own use any such funds; shall in each case be fined not more than \$5,000 or imprisoned not more than ten years, or both.

Embezzlement of funds by employee.

Penalty.

“(b) The carrying or transporting of any such money, freight, express, baggage, goods, or property from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia, knowing the same to have been embezzled or stolen, shall constitute a separate offense and subject the offender to the penalties prescribed in subsection (a).

Transporting from one State to another, etc.

“(c) The term ‘interstate or foreign commerce’ shall include transportation from one State, Territory, or the District of Columbia to another State, Territory, or the District of Columbia, or to a foreign country, or from a foreign country to any State, Territory, or the District of Columbia.

“Interstate or foreign commerce.”

“(d) The term ‘aircraft’ shall mean airplane, glider, blimp, balloon, dirigible, helicopter, rocket ship, parachute, or any contrivance used or designed for navigation of or flight in the air.

“Aircraft.”

“(e) The term ‘motortruck’ shall mean truck, truck-tractor, trailer, semitrailer, automobile, bus, or other vehicle used upon or designed for use upon roads, highways, or streets.

“Motortruck.”

“(f) The term ‘wharf’ shall mean dock, quay, pier, or any structure or contrivance designed for the loading or unloading of water craft.

“Wharf.”

“(g) Prosecutions under this Act may be instituted in any district wherein the crime shall have been committed, or in which the offender may have taken, removed, brought or been in possession of said money, freight, express, baggage, goods, or property.

Prosecutions.

“SEC. 2. Nothing herein shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof; and a judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

Jurisdiction of State courts.

“SEC. 3. To establish the interstate or foreign commerce character of any shipment in any prosecution under this Act the waybill, or other shipping document, of such shipment shall be prima facie evidence of the place from which such shipment was made.”

Waybill.

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