WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1947

ENROLLED

HOUSE BILL No. 121

(By Mr. Piper)

PASSED February 28, 1947

In Effect from Passage
AN ACT to amend and reenact section five, article two, chapter sixty-two, of the code of West Virginia, one thousand nine hundred thirty-one, as last amended and reenacted by chapter twenty-four, acts of the Legislature, regular session, one thousand nine hundred forty-one, relating to allegations in indictments, warrants, or informations.

Be it enacted by the Legislature of West Virginia:

That section five, article two, chapter sixty-two of the code of West Virginia, one thousand nine hundred thirty-one, as last amended and reenacted by chapter twenty-four of the acts of the Legislature of West Virginia, regular session, one thousand nine hundred forty-one, be amended and reenacted to read as follows:

Section 5. *Indictment for Embezzlement; What Description and Proof of Money Sufficient in Prosecutions*
3 for Embezzlement, and other Crimes.—In a prosecution
4 against a person accused of embezzling, or fraudu-
5 lently converting to his own use, bullion, money, bank
6 notes, or other security for money, it shall be lawful, in
7 the same indictment, to charge and thereon to proceed
8 against the accused, for any number of distinct acts of
9 such embezzlement or fraudulent conversion which may
10 have been committed by him within six months from the
11 first to the last of such acts; and it shall be sufficient to
12 allege the embezzlement or fraudulent conversion to be
13 of money, bullion, bank notes, or security for money with-
14 out specifying the particular kind of money, bank notes,
15 bullion or security for money, as the case may be; and
16 such allegation, so far as it regards the description of the
17 property, shall be sustained, if the accused be proved to
18 have embezzled or fraudulently converted to his own
19 use, any bullion, money, bank notes, or security for
20 money, (although the particular item or thing embezzled
21 or converted be neither alleged nor proved.)
22 And in any indictment, warrant or information in
23 which it is necessary to describe money current in this
state, a description of such money as "United States Currency" will be sufficient without specifying the number
and denomination thereof, and such description shall be
construed to mean national bank notes, United States
Treasury notes, Federal Reserve notes, certificates for
either gold or silver coin, fractional coin, currency, or any
other form of money issued by the United States govern-
ment and current as money in this state.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 4th day of March, 1947.

Governor.