

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939



ENROLLED

Com. Sub. for

HOUSE BILL No. 221

*(Originating in the Committee
on the Judiciary)*

(By Mr.)



PASSED *March 11,* 1939

In Effect *ninety days from* Passage

221

ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 221

(Originating in the Committee on the Judiciary)

[Passed March 11, 1939; in effect ninety days from passage.]

AN ACT to amend and reenact section twelve, article two, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, relating to robbery, or attempted robbery, and the penalties therefor.

Be it enacted by the Legislature of West Virginia:

That section twelve, article two, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Article 2. Crimes Against the Person.

Section 12. Robbery or Attempted Robbery; Penalties

2 *Therefor.* If any person commit, or attempt to commit, robbery by partial strangulation or suffocation, or by striking
3 or beating, or by other violence to the person, or by the
4

5 threat or presenting of firearms, or other deadly weapon or
6 instrumentality whatsoever, he shall be guilty of a felony,
7 and, upon conviction, shall be confined in the penitentiary
8 not less than ten years. If any person commit, or attempt to
9 commit, a robbery in any other mode or by any other means,
10 except as provided for in the succeeding paragraph of this
11 section, he shall be guilty of a felony, and, upon conviction,
12 shall be confined in the penitentiary not less than five years.

13 If any person (a) by force and violence, or by putting in
14 fear, feloniously takes, or feloniously attempts to take, from
15 the person or presence of another any property or money or
16 any other thing of value belonging to, or in the care, custody,
17 control, management or possession of, any bank, he shall be
18 guilty of a felony, and, upon conviction, shall be confined in
19 the penitentiary not less than ten nor more than twenty
20 years: And if any person (b), in committing, or in attempt-
21 ing to commit, any offense defined in the preceding clause
22 (a) of this paragraph, assaults any person, or puts in
23 jeopardy the life of any person by the use of a dangerous
24 weapon or device, he shall be guilty of a felony, and, upon

25 conviction, shall be confined in the penitentiary not less than
26 ten nor more than twenty-five years.

27 All acts and parts of acts inconsistent herewith are hereby
28 repealed.

I certify that the foregoing act,
having been presented to the Governor for
approval, and not having been returned
by him to the House of the Legislature in
which it originated within the time pre-
scribed by the constitution of the state, has
become a law without his approval.

This the 17th day of March,

1939

Wm S O'Brien

SECRETARY OF STATE

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. O. Wiseman

Chairman Senate Committee

Boo D. Walte

Chairman House Committee

Originated in the *House of Delegates*

Takes effect *ninety days from* passage.

Stanley
Clerk of the Senate

Geo S. Hall
Clerk of the House of Delegates

Wm. M. Hanson
President of the Senate

James T. Thomas
Speaker House of Delegates

The within *approved* this the *16th*

day of *March*, 1933.

James G. Blair
Governor.



Filed in the office of the Secretary of State of West Virginia. **MAR 17 1933**

Wm. S. O'BRIEN,
Secretary of State