WEST VIRGINIA LEGISLATURE

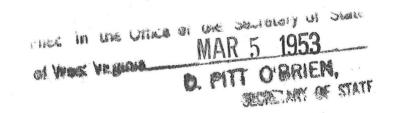
REGULAR SESSION, 1953

ENROLLED

HOUSE BILL No. 208

Lowles (By Mr.

PASSED Ebruary 27 1953 In Effect Minely Clay from Passage



THUS OF BUILDING

ENROLLED House Bill No. 208 (By Mr. Bowles)

[Passed February 27, 1953; in effect ninety days from passage]

AN ACT to amend and reenact section two, article eight, chapter sixty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the punishment of convicts for crimes committed while in the penitentiary.

Be it enacted by the Legislature of West Virginia:

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

Section 2. Punishment of Convicts; No Discharge from
2 Penitentiary While Prosecution Is Pending.—A convict
3 guilty of such killing as is mentioned in the first section
4 of this article, or any act mentioned therein, from which
5 death ensues to such officer or guard, shall be punished
6 with death. For any other offense mentioned in said sec-

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tion, a convict, unless he be under a sentence of confine-7 ment for life, shall be confined in the penitentiary not less 8 than one nor more than five years after the end of the 9 term for which he shall then be subject to confinement. 10 A person prosecuted for an offense under this article shall 11 12 not be discharged from the penitentiary while such prose-13 cution is pending. And a person convicted of such offense shall not, by reason thereof, be sentenced under sections 14 eighteen or nineteen, article eleven, chapter sixty-one of 15 this code, except that, if a convict in the penitentiary shall 16 commit any felony, other than is provided for in the first 17 section of this article which is punishable by confinement 18 therein or with death, he shall suffer the same punishment 19 20 as if he had been discharged before committing it.

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

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Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates Takes effect passage. Clerk of the Senate Clerk of the House of Delegates President of the Senate

Speaker House of Delegates

this the sth The within approved

day of march, 1953.

William Q. maile Governor