

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1961

ENROLLED

HOUSE BILL No. *213*

(By Mr. *Brotherton*)

PASSED *March 10,* 1961

In Effect *Ninety days from* Passage



Filed in Office of the Secretary of State
of West Virginia *MAR 17 1961*

JOE F. BURDETT
SECRETARY OF STATE

213

ENROLLED
House Bill No. 213

(By MR. BROTHERTON)

[Passed March 10, 1961; 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, as amended, relating to robbery, attempted robbery, bank robbery, assaults in committing or attempting to commit bank robbery and the penalties for such offenses.

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, as amended, be amended and reenacted to read as follows:

- Section 12. Robbery or Attempted Robbery; Penalties;*
- 2 Bank Robbery and Assaults in Committing or Attempting;*
 - 3 Penalties.—If any person commit, or attempt to commit,*
 - 4 robbery by partial strangulation or suffocation, or by strik-*
 - 5 ing or beating, or by other violence to the person, or by*

6 the threat or presenting of firearms, or other deadly
7 weapon or instrumentality whatsoever, he shall be guilty
8 of a felony, and, upon conviction, shall be confined in the
9 penitentiary not less than ten years. If any person com-
10 mit, or attempt to commit, a robbery in any other mode or
11 by any other means, except as provided for in the succeed-
12 ing paragraph of this section, he shall be guilty of a felony,
13 and, upon conviction, shall be confined in the penitentiary
14 not less than five nor more than eighteen years.

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

27 of a felony, and, upon conviction, shall be confined in the
28 penitentiary not less than ten years nor more than twenty-
29 five years.

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

James Davis, Jr.
Chairman Senate Committee

Mrs. W. N. Withrow
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. Howard Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Julius W. Singleton, Jr.
Speaker House of Delegates

The within approved this the 17th
day of March, 1961.

Mr. Barr
Governor

Filed in Office of the Secretary of State
of West Virginia **MAR 17 1961**
JOE F. BURDETT
SECRETARY OF STATE