

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

SENATE BILL No. 91

(By Mr. Fleming.)



PASSED March 6 1937

In Effect from **Passage**

ENROLLED
Senate Bill No. 91

(BY MR. FLEMING)

[Passed March 6, 1937; in effect from passage.]

AN ACT to amend article three, chapter sixty-one of the code of
West Virginia, one thousand nine hundred thirty-one, by
adding thereto section forty-five-a, relating to breaking pipe
lines and stealing therefrom.

Be it enacted by the Legislature of West Virginia:

That article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, be amended by adding thereto a new section, to be known as section forty-five-a, to read as follows:

Section 45-a. Every person who, with intent to injure,
2 or for the purpose of destroying, injuring, impairing,
3 breaking, damaging or unlawfully opening, or of taking,
4 stealing, and carrying away, or of permitting or caus-
5 ing to escape on the ground or into the air, any of
6 the contents thereof, shall open, or cause to be opened, in
7 any manner, any pipe or pipes or line of pipe or pipes or any
8 tank, receptacle or container connected therewith, contain-
9 ing or used and useful in transporting or storing petroleum,
10 crude or refined, gasoline, gas (natural, casinghead or manu-
11 factured), or any of the by-products of petroleum or gas,
12 either liquid or gaseous, belonging to another, without
13 such other's consent, shall be guilty of a misdemeanor, and
14 upon conviction thereof, shall be punished by confinement
15 in the county jail not less than two nor more than twelve
16 months, and in addition thereto, in the discretion of the
17 court, may be fined not exceeding three hundred dollars.
18 Every person, upon conviction for the second or any subse-
19 quent offense under this section shall be guilty of a felony
20 and shall be confined in the penitentiary of this state not
21 less than one nor more than three years. Justices of the

22 peace shall have concurrent jurisdiction with the circuit,
23 criminal or intermediate courts to enforce the misdemeanor
24 penalties prescribed by this section.

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

Carl B. Yarbrough

Chairman Senate Committee

Wm. B. Baker

Chairman House Committee

Originated in the.....

Takes effect..... passage.

Samuel D. Smith

Clerk of the Senate

Wm. S. Hall

Clerk of the House of Delegates

Geo. E. Hodge

President of the Senate

James Kay Thomas

Speaker House of Delegates

The within *Approved* this the *13th*

day of *March*, 1937.

Harmon A. Holt

Governor

Filed in the office of the Secretary of State
of West Virginia. **MAR 15 1937**
Wm. S. O'BRIEN,
Secretary of State