WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1943

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ENROLLED

HOUSE BILL No. 99

(By Mr. Brand)

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PASSED March 13, 1943

In Effect ninety days from Passage
AN ACT to amend and reenact section seven, article six, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as enacted by section seven, chapter four, acts of the Legislature, regular session, one thousand nine hundred thirty-five, relating to violations of the liquor control act.

Be it enacted by the Legislature of West Virginia:

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

Section 7. *Specific Acts Forbidden.*—A person shall not:

1. Manufacture or sell in this state without a license any alcoholic liquor except as permitted by this article;
(2) Aid or abet in the manufacture or sale of alcoholic liquor without a license except as permitted by this article;

(3) Sell without a license any alcoholic liquor other than permitted by this article;

(4) Adulterate any alcoholic liquor by the addition of any drug, methyl alcohol, crude, unrectified or impure form of ethyl alcohol, or other foreign or deleterious substance or liquid;

(5) Refill, with alcoholic liquor, any bottle or other container in which alcoholic liquor has been sold at retail in this state;

(6) Advertise any alcoholic liquor in this state except in accordance with the rules and regulations of the commission;

(7) Distribute, deal in, process, or use crowns, stamps or seals required under authority of this chapter, except in accordance with the rules and regulations prescribed by the commission.

A person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction
shall be fined not less than fifty nor more than five hundred dollars, or confined in jail not less than thirty days nor more than one year or both such fine and imprisonment, for the first offense. Upon conviction of a second or subsequent offense, the court may in its discretion impose a penalty of confinement in the penitentiary for a period not to exceed three years.

An indictment for any first violation of subdivisions one, two and three of this section, or any of them, shall be sufficient if in form or effect as follows:

State of West Virginia

County of ________________, to-wit:

The Grand Jurors of the State of West Virginia, in and for the body of the County of ________________, upon their oaths present that ________________, on the __________ day of ________________, 19____, in the said County of ________________, did unlawfully, without a State license and without authorization under the Liquor Control Act, manufacture and sell, and aid and abet in the manufacture and sale of a quantity of
46 alcoholic liquor, against the peace and dignity of the
47 State.
48 Any indictment under this section shall otherwise be
49 in conformity with section one, article nine, chapter sixty-
50 two of the code.
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 ninety days 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 19th day of March, 1943.

Governor.

Filed in the office of the Secretary of State of West Virginia MAR 19 1943

Wm. S. O'Brien, Secretary of State