

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 208

(By Mr. Dowles)



PASSED February 27 1953

In Effect ninety days from Passage



208

FILED IN THE OFFICE OF THE SECRETARY OF STATE
of West Virginia
MAR 5 1953
D. PITT O'BRIEN,
SECRETARY OF STATE

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 Penitentiary While Prosecution Is Pending.*—A convict guilty of such killing as is mentioned in the first section of this article, or any act mentioned therein, from which death ensues to such officer or guard, shall be punished with death. For any other offense mentioned in said sec-

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

A. M. Kirby
Chairman Senate Committee

C. H. Aubrey
Chairman House Committee

Originated in the House of Delegates

Takes effect *ninety days from* passage.

Howard Keyser
Clerk of the Senate

J. R. Cliff
Clerk of the House of Delegates

Ralph B. Bunn
President of the Senate

[Signature]
Speaker House of Delegates

The within *approved* this the *5th*
day of *March*, 1953.

William C. Maelood
Governor

