ENROLLED

House Bill No. 213

(By Mr. Brotherston)

[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, robbery by partial strangulation or suffocation, or by striking or beating, or by other violence to the person, or by
the threat or presenting of firearms, or other deadly
weapon or instrumentality whatsoever, he shall be guilty
of a felony, and, upon conviction, shall be confined in the
penitentiary not less than ten years. If any person com-
mit, or attempt to commit, a robbery in any other mode or
by any other means, except as provided for in the succeed-
ing paragraph of this section, he shall be guilty of a felony,
and, upon conviction, shall be confined in the penitentiary
not less than five nor more than eighteen years.
If any person (a) by force and violence, or by putting
in fear, feloniously takes, or feloniously attempts to take,
from the person or presence of another any property or
money or any other thing of value belonging to, or in the
care, custody, control, management or possession of, any
bank, he shall be guilty of a felony, and, upon conviction,
shall be confined in the penitentiary not less than ten nor
more than twenty years; and if any person (b), in com-
mitting, or in attempting to commit, any offense defined
in the preceding clause (a) of this paragraph, assaults any
person, or puts in jeopardy the life of any person by the
use of a dangerous weapon or device, he shall be guilty
of a felony, and, upon conviction, shall be confined in the penitentiary not less than ten years nor more than twenty-five years.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the House.

Takes effect __________ days from ________

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within __________ approved this the __________ day of __________, 1961.

[Signature]
Governor

Filed in Office of the Secretary of State of West Virginia

MAR 17 1961

JOE F. BURDETT
SECRETARY OF STATE