WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED
SENATE BILL NO. 160
(By Mr. Morehead)

PASSED March 9, 1963
In Effect from Passage

Filed in Office of the Secretary of State
of West Virginia 3-15-63
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section fifteen, article two, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the crime of rape; age of consent; carnal knowledge of male person and penalties.

Be it enacted by the Legislature of West Virginia:

That section fifteen, 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 15. Rape; Age of Consent; Carnal Knowledge of Male Person; Penalties.—If any male person carnally knows a female person, not his wife, against her will by force, or if any male person over the age of sixteen years carnally knows a female person of previous chaste character, not his wife, under that age, he shall be guilty of a
7 felony, and upon conviction, shall be punished with death
8 or with confinement in the penitentiary for life, in the
discretion of the court, or, if the jury add to its verdict a
recommendation for mercy, with confinement in the peni-
tentiary for not less than five nor more than twenty
years, or if any male person over the age of sixteen years
carnally knows a female person, not his wife, under the
age of ten years, he shall be guilty of a felony and,
upon conviction, shall be punished with death or with
confinement in the penitentiary for life, in the discretion
of the court, or, if the jury add to its verdict a recom-
mendation for mercy, with confinement in the peniten-
tiary for not less than five nor more than twenty years:
Provided, That this section shall not apply to any male
person under sixteen years of age who carnally knows a
female over twelve years of age with her free consent.
Any female person over the age of sixteen years who shall
carnally know any male person, not her husband, under
that age shall be guilty of misdemeanor, and, upon con-
viction, shall be confined in the county jail not less than
two nor more than six months.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect 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 14th
day of March, 1963.

Governor