

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951

## ENROLLED

HOUSE BILL No. 358

(By Mr. Kead, J. Gilmer, & M. Morgan)

PASSED March 10. 1951

In Effect Ninety days from Passage



358

**ENROLLED**

**House Bill No. 358**

(By MR. KIDD, of Gilmer, and MR. MORGAN)

[Passed March 10, 1951; in effect ninety days from passage.]

AN ACT to amend and reenact section twelve, article seven, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to allowance for expense of sheriff.

*Be it enacted by the Legislature of West Virginia:*

That section twelve, article seven, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 12. *Allowance for Expenses of Sheriff.*—The  
2 county court, or tribunal in lieu thereof, of every county  
3 having thirty thousand or less population which, as pro-  
4 vided in section two-a, article eight of this chapter, has  
5 directed the sheriff as jailer to feed prisoners shall, in  
6 addition to the salary herein provided, allow to the sheriff  
7 for keeping and feeding each prisoner, other than federal  
8 prisoners or prisoners held under civil process as provided

9 by law, an amount to be computed in accordance with  
10 the following schedule, based on the population figures  
11 appearing in the latest official census, in counties having  
12 a population of thirty thousand or less, eighty-four cents  
13 per day.

14 The limitation per day shall not include cost of personal  
15 service, bed or bedding, soaps and disinfectants and items  
16 of like kind, the cost of all of which shall be paid out of the  
17 allowance fixed by the county court under the provisions  
18 of present law.

19 All supplies of whatever kind for keeping and feeding  
20 prisoners shall be purchased upon the requisition of the  
21 sheriff under such rules and regulations as may be pre-  
22 scribed by the county court. At the end of each month  
23 the sheriff shall file with the county court a detailed state-  
24 ment showing the name of each prisoner, date of com-  
25 mitment and date of discharge, and number of days in  
26 jail, and shall also file an itemized statement showing each  
27 purchase and the cost thereof for keeping and feeding  
28 prisoners.

29 The county court of every county shall allow the actual

30 and necessary expenses incurred or expended by the sher-  
31 iff in arresting, pursuing, or transporting persons accused  
32 or convicted of crimes and offenses, including the cost of  
33 law enforcement and safety equipment, and in convey-  
34 ing or transferring any person to or from any state insti-  
35 tution to which he may be committed from his county,  
36 where by law the sheriff is authorized to convey or trans-  
37 fer such person, and shall allow the actual and necessary  
38 expenses incurred or expended in serving summonses,  
39 notices, or other official papers in connection with the  
40 sheriff's office, including an allowance of seven cents per  
41 mile for each mile a sheriff or deputy sheriff is required  
42 to drive his personally owned car in the performance of  
43 his duties hereunder. Every sheriff shall file monthly,  
44 under oath, a full and accurate account of all his actual  
45 and necessary expenses mentioned in this section, sup-  
46 ported by verified accounts for his deputies for amounts  
47 expended or incurred by each, before payment thereof  
48 shall be allowed by the county court.

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

*Robert C. Byrd*

Chairman Senate Committee

*James W. Loop*

Chairman House Committee

Originated in the House of Delegates

Takes effect *Ninety days from* passage.

*Harold Meyer*

Clerk of the Senate

*R. Bliff*

Clerk of the House of Delegates

*W. B. Lough*

President of the Senate

*W. E. Dean*

Speaker House of Delegates

1951

This the *16* day of *Mar.*

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

this the

, 1951.

Governor

MAR 16 1951

D. PITT O'BRIEN,

SECRETARY OF STATE

*2000*  
SECRETARY OF STATE