ENROLLED BILL

House Bill No. 331.

(By Mr. Cummins)

Passed March 19, 1931

In Effect from Passage
ENROLLED BILL
(H. B. No. 331)
[Passed March 13, 1931; in effect from passage.]

AN ACT to amend and re-enact chapter twenty-eight, article five, section twenty-eight of the code of West Virginia, relating to the parole of convicts.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-eight, article five, section twenty-eight of the code of West Virginia, be amended and re-enacted so as to read as follows:

Section 28. The governor shall have authority, under such rules and regulations as he may prescribe, to issue a parole, or permit to go at large, to any convict who now is, or hereafter may be, imprisoned in the penitentiary of this state, under sentence other than a life sentence, and who has not previously served two terms of imprisonment in any penal institution for felony. Every such convict, while on parole, shall remain in the legal custody and under the control of the governor, and shall be subject at any time to be taken back within the inclosure of
the penitentiary for any reason that shall be satisfactory to the
governor, and at his sole discretion. Full power to retake and
return any such paroled convict to the penitentiary is hereby
expressly conferred upon the governor, whose written order,
when attested by the secretary of state, shall be a sufficient war-
rant authorizing all officers named therein to return any such
paroled convict to actual custody in the penitentiary; and it is
hereby made the duty of all officers to execute such order the
same as an ordinary criminal process. This section shall not
be construed to operate in any sense as a release of any convict
paroled under its provision, but simply as a permit granted to
such convict to go without the inclosure of the penitentiary, and
while so at large he shall be deemed to be serving out the sen-
tence imposed upon him by the court, and shall be entitled to
good time the same as if he were confined in the penitentiary.
The within is approved 17th day of March 1931.

Governor.

Filed in the office of the Secretary of State of West Virginia MAR 18 1931

GEORGE W. SHARP
Secretary of State.