

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939

ENROLLED

SENATE BILL No. 287

(By Mr. La. Zon Mr. President

PASSED March 9th 1939

In Effect Thirty days from Passage



ENROLLED

Senate Bill No. 287

(By MR. LAFON, Mr. President)

[Passed March 9, 1939; in effect ninety days from passage.]

AN ACT to amend and reenact section eight, article eighteen, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, relating to costs in criminal cases before justices of the peace, including jailers' compensation for maintenance of prisoners.

Be it enacted by the Legislature of West Virginia:

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

Section 8. *Costs; Execution.* Whether the trial is by jury

2 or not, if the judgment be against the accused, it shall be for

3 the costs of the proceeding in addition to the fine and term of
4 imprisonment imposed, and when the accused is sentenced to
5 imprisonment, whether a fine be also imposed or not, or is im-
6 prisoned for nonpayment of a fine and costs, the jailer's com-
7 pensation for maintenance of the prisoner shall be included in
8 the costs and paid out of the general school fund of the county,
9 provided a fine and costs have been assessed against and col-
10 lected from the accused by the justice of the peace before
11 whom tried, and by him paid into the general school fund,
12 otherwise, to be paid out of the county fund general revenue.
13 Execution, to be collected out of the personal property of the
14 accused may be issued on such judgment for fine and costs,
15 or for the costs alone, if the judgment be for imprisonment
16 and costs without fine. Fee bills may be issued against the
17 accused for costs incurred at his instance, including the
18 jailer's compensation, under the same regulations and with
19 like effect as in civil suits.

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

E. O. Wiseman

Chairman Senate Committee

Dee B. Walker

Chairman House Committee

Originated in the

Senate

Takes effect

Ninety days from

passage.

James D. Smith

Clerk of the Senate

Geo. H. Hance

Clerk of the House of Delegates

Wm. M. Hannon

President of the Senate

James L. Thomas

Speaker House of Delegates

The within

approved

this the

15th

day of

March

, 1939.

Samuel H.

Governor.

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Filed in the office of the Secretary of State
of West Virginia. **MAR 16 1939**

Wm. S. O'BRIEN,
Secretary of State