

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

HOUSE BILL No. 202

(By Mr. Woodrum)



PASSED February, 24, 1947

In Effect Thirty days from Passage

202

ENROLLED

House Bill No. 202

(By MR. WOODRUM)

[Passed February 24, 1947; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article eighteen, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as last amended by chapter thirty, acts of the Legislature, regular session, one thousand nine hundred thirty-five, by adding thereto a new subsection to be known as subsection (i), giving to justices of the peace concurrent jurisdiction with courts of record relating to disturbance of religious worship.

Be it enacted by the Legislature of West Virginia:

That section one, article eighteen, chapter fifty of the code of West Virginia, one thousand nine hundred thirty one, as last amended by chapter thirty, acts of the Legislature, regular session, one thousand nine hundred thirty-five, be amended and reenacted to read as follows:

Section 1. *Limits of, and Cases in Which Justice May*

2 *Exercise, Criminal Jurisdiction; Penalties.*—A justice shall
3 have jurisdiction of the following offenses committed in
4 his county, or on any river or creek adjoining thereto:

5 (a) In cases of assault and battery, unless the offense
6 was committed on a sheriff or other officer or justice, or
7 riotously, or with intent to commit a felony; and no com-
8 promise with the party injured shall affect or prevent
9 the trial of such offense by the justice; and if a defendant
10 be convicted of such offense he shall be fined not less
11 than five nor more than fifty dollars;

12 (b) In cases of trespass to personal property; and, if a
13 defendant be convicted of such offense, he shall be fined
14 not less than five nor more than fifty dollars;

15 (c) In cases for the violation of section fourteen, article
16 six, chapter sixty-one of this code; and, upon the convic-
17 tion of a defendant for a violation of any of the provisions
18 of said section, he shall be punished as therein provided;

19 (d) In cases of adultery and fornication; and, if a
20 defendant be convicted of such offense, he shall be fined
21 twenty dollars;

22 (e) In cases of petit larceny; and, if a defendant be
23 convicted of such offense, he shall be fined not less than
24 ten nor more than thirty dollars, and may, at the discre-
25 tion of the justice or jury trying the case, be imprisoned
26 in the county jail not exceeding thirty days;

27 (f) In cases for the violation of article seven, chapter
28 sixty-one of this code; and upon the conviction of a
29 defendant for a violation of any of the provisions of
30 said section, (article) he shall be punished as therein
31 provided;

32 (g) In any case where the punishment is limited to a
33 fine not exceeding ten dollars, or to imprisonment for not
34 more than ten days.

35 (h) In all misdemeanor cases for the violation of the
36 provisions of chapter sixty of said code as amended;

37 (i) In cases for the violation of section thirteen, article
38 six, chapter sixty-one of this code; and, upon the convic-
39 tion of a defendant for a violation of any of the provisions
40 of said section, he shall be punished as therein provided:
41 *Provided, however,* That whenever a person has been con-

42 victed in the municipal or police court of any incorporated
43 town or city, such conviction shall be a bar to any crim-
44 inal proceeding before a justice for the same offense.

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

Forest L. McMan

Chairman Senate Committee

R. L. Maerhens

Chairman House Committee

Originated in the

House of Delegates

Takes effect

Thirty days from passage.

Lawrence Dyer

Clerk of the Senate

Garrett

Clerk of the House of Delegates

Donald M. Vickern

President of the Senate

John E. Amos

Speaker House of Delegates

The within

Approved

this the

3rd

day of

March

, 1947.

Glenn Hodge

Governor.



Filed in the Office of the Secretary of State
of West Virginia.

MAR 4 1947
WM. S. O'BRIEN
SECRETARY OF STATE