

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

SENATE BILL No. 40

(By Mr. Vickers, Mr. President)  
(by request)



PASSED February 12, 1947

In Effect Thirty days from Passage

40

**ENROLLED**

**Senate Bill No. 40**

(By MR. VICKERS, MR. PRESIDENT, by request)

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[Passed February 12, 1947; in effect ninety days from passage.]

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AN ACT to amend chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one by adding thereto a new article, to be designated article five-c, establishing the West Virginia state prison for women, providing for its management and control and for the venue of trials of inmates therein.

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

That chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, be amended by the addition thereto of a new article, to be designated article five-c to read as follows:

Section 1. *Establishment.*—The West Virginia state  
2 prison for women, a penal institution exclusively for fe-  
3 male prisoners, is hereby established at Pence Springs,  
4 Summers county, West Virginia, as a state penitentiary.

5 As soon as practicable after the passage of this act, all  
6 female prisoners then incarcerated at the West Virginia  
7 penitentiary at Moundsville, West Virginia, shall be re-  
8 moved therefrom to the West Virginia state prison for  
9 women.

Sec. 2. *Management and Control.*—The West Virginia  
2 state prison for women shall be managed, directed and  
3 controlled as provided in chapter twenty-five, of this code.

Sec. 3. *Superintendent; Bond; Duties; Residence.*—The  
2 superintendent shall be the chief executive officer of the  
3 West Virginia state prison for women. She shall be ap-  
4 pointed by the governor, but with the advice and consent  
5 of the Senate, and shall give bond in such sum as the  
6 board of control may require. Her duties shall be fixed by  
7 the board of control, and shall conform, as nearly as pos-  
8 sible, to the duties heretofore assigned to the warden of  
9 the West Virginia penitentiary at Moundsville. The super-  
10 intendent shall reside in or near the West Virginia state  
11 prison for women.

Sec. 4. *Laws Applicable; Exception.*—The laws govern-  
2 ing the West Virginia penitentiary at Moundsville shall,  
3 where applicable, apply to the West Virginia state prison  
4 for women, except that criminal proceedings against in-  
5 mates in the West Virginia state prison for women shall  
6 be in the proper court of the county of Summers.

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

Joseph L. Mason  
Chairman Senate Committee

R. L. Maccherona  
Chairman House Committee

Originated in the Senate

Takes effect thirty days from passage.

Thomas Nevers  
Clerk of the Senate

J. R. Ruff  
Clerk of the House of Delegates

Donald J. M. Vickera  
President of the Senate

John E. Amos  
Speaker House of Delegates

The within Approved this the 18<sup>th</sup>  
day of Feb, 1947.

Robert M. Mason  
Governor.



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

**FEB 19 1947**  
Wm. S. LUTCH,  
SECRETARY OF STATE