WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1949

ENROLLED

HOUSE BILL No. 228

(By Mr. Schupbach

Mr. Roach)

PASSED March 12, 1949

In Effect From Passage
AN ACT to amend and reenact section three, article seven, chapter sixty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the execution of sentence of death.

Be it enacted by the Legislature of West Virginia:

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

Section 3. Execution of Death Sentence.—Sentence of death, except for insurrection or rebellion, shall not be executed sooner than thirty days after the sentence is pronounced. The sentence of death shall, in every case, be executed by electrocution of the convict until he is dead: Provided, however, That as to all capital punishment crimes committed prior to the effective date of this
act, the law with reference to the execution of the death penalty, in such cases, shall be by the method provided by law immediately prior to the enactment of this statute. Such punishment shall be executed within the walls of the West Virginia penitentiary and not elsewhere, and within an enclosure to be prepared for that purpose, under the direction of the warden of the penitentiary and the authorities in control thereof, which enclosure shall be so constructed as to exclude public view; and the warden of the West Virginia penitentiary, or, in case of his death, absence or inability to act, a deputy warden, shall be the executioner; and for his services in executing such sentence, the said warden, or deputy warden, shall receive the sum of twenty-five dollars, to be paid out of any fund on hand appropriated for the maintenance and support of the West Virginia penitentiary.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within APPROVED this the 18th day of MARCH, 1949.

Governor.

Filed in the Office of the Secretary of State of West Virginia MAR 1 1949

D. PIT O'BIEN,
SECRETARY OF STATE