

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

*Committee substitute for*  
HOUSE BILL No. 187

(By Mr. S. Walker)



PASSED March 10, 1951

In Effect July 1, 1951 ~~Passage~~



## ENROLLED

COMMITTEE SUBSTITUTE FOR

# House Bill No. 187

[Passed March 10, 1951; in effect July 1, 1951.]

[Originating in the Committee on Agriculture.]

AN ACT to repeal and reenact article twenty, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the registration and taxation of dogs and dog kennels, and the control of dogs.

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

That article twenty, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, be repealed and reenacted to read as follows:

Section 1. *Dogs Subject to Taxation; Personal Property.*—Any dog above the age of six months shall be subject to taxation and shall be and is hereby declared to be personal property within the meaning and construction of the laws of this state.

Sec. 2. *Collection of Head Tax on Dogs; Duties of Assessor and Sheriff; Registration of Dogs; Disposition of Head Tax; Taxes on Dogs Not Collected by Assessor.*—It shall be the duty of the county assessor and his deputies of each county within this state, at the time they are making assessment of the personal property within such county, to assess and collect a head tax of one dollar on each male or spayed female dog and of two dollars on each unspayed female dog; and in addition to the above, the assessor and his deputies shall have the further duty of collecting any such head tax on dogs as may be levied by the ordinances of each and every municipality within the county. In the event that the owner, keeper, or person having in his possession or allowing to remain on any premises under his control any dog above the age of six months, shall refuse or fail to pay such tax, when the same is assessed or within fifteen days thereafter, to the assessor or deputy assessor, then such assessor or deputy assessor shall certify such tax to the county dog warden; if there be no county dog warden he shall certify such tax to the county sheriff, who shall take charge of the dog for which the tax is de-

22 linquent and impound the same for a period of fifteen  
23 days, for which service he shall be allowed a fee of one  
24 dollar and fifty cents to be charged against such delin-  
25 quent taxpayer in addition to the taxes herein provided  
26 for. In case the tax and impounding charge herein pro-  
27 vided for shall not have been paid within the period of  
28 fifteen days, then the sheriff may sell the impounded dog  
29 and deduct the impounding charge and the delinquent  
30 tax from the amount received therefor, and return the  
31 balance, if any, to the delinquent taxpayer. Should the  
32 sheriff fail to sell the dog so impounded within the time  
33 specified herein, he shall kill such dog and dispose of its  
34 body.

35 At the same time as the head tax is assessed, the asses-  
36 sor and his deputies shall, on the forms prescribed under  
37 section four of this article, take down the age, sex, color,  
38 character of hair (long or short) and breed (if known),  
39 and the name and address of the owner, keeper or harborer  
40 thereof. When the head tax, and extra charges, if any,  
41 are paid, the officer to whom payment is made shall issue

42 a certificate of registration and a registration tag for  
43 such dog.

44 In addition to the assessment and registration above  
45 provided for, whenever a dog either is acquired or be-  
46 comes six months of age after the assessment of the per-  
47 sonal property of the owner, keeper or harborer thereof,  
48 the said owner, keeper or harborer of said dog shall, with-  
49 in ten days after the acquisition or maturation, regis-  
50 ter the said dog with the assessor, and pay the head tax  
51 thereon unless the prior owner, keeper or harborer paid  
52 the head tax.

53 All certificates of registration and registration tags  
54 issued pursuant to the provisions of this section shall  
55 be issued for the calendar year and shall be valid from  
56 the date on which issued until the thirty-first day of De-  
57 cember of the same year, or until reissued by the assessor  
58 or his deputy in the regular performance of his duties, but  
59 in no case shall previous registration tags be valid after  
60 March thirty-first, of the following year.

61 The assessor collecting the head tax on dogs shall be  
62 allowed a commission of ten per cent upon all such taxes

63 collected by him, and shall turn in to the county treasury  
64 ninety per cent of such taxes so collected, as are levied by  
65 this section; and the assessor shall turn over to the treas-  
66 urer or other proper officer of each and every munici-  
67 pality within the county ninety per cent of such taxes  
68 levied by the ordinances of such municipality. All such  
69 dog taxes, except those belonging to municipalities, shall  
70 be accredited to the dog and kennel fund provided for  
71 in section ten of this article. Such dog taxes as are col-  
72 lected for and turned over to municipalities shall be  
73 deposited by the proper officer of such municipality to  
74 such fund and shall be expended in such manner as the  
75 law of such municipality may provide. All taxes on dogs  
76 not collected by the assessor shall be collected by the  
77 regular tax collecting officer of the county and placed to  
78 the credit of the dog and kennel fund.

Sec. 3. *Registration of Dog Kennels; Fee.*—Every owner  
2 or operator of a kennel, wherein dogs are bred, kept,  
3 boarded or sold as a commercial venture for profit shall  
4 annually, between the first day of January and the thirty-  
5 first day of March of each year, file with the assessor of the

6 county in which such kennel is located, kept or maintained,  
7 an application for the registration of such kennel for the  
8 calendar year. Such application shall state the location  
9 of the kennel, the name and address of the person actually  
10 in charge of and supervising it, and the name and address  
11 of the owner of the kennel. Upon the filing of such appli-  
12 cation, together with the payment to the assessor of a fee  
13 of ten dollars the assessor shall issue a certificate of regis-  
14 tration for such kennel. The registration of a kennel, as  
15 herein provided, shall entitle the registrant to register  
16 and receive certificates and tags for not more than five  
17 dogs without the payment of a separate head tax on such  
18 dogs. The head tax provided for in section two of this  
19 article shall, on such five or less dogs, be included in and  
20 charged against the kennel registration fee herein pro-  
21 vided.

22 Every person upon becoming the owner or operator of  
23 a kennel of dogs as herein described, after the thirty-first  
24 day of March of any year shall, within three days after  
25 becoming such owner or operator, register such kennel  
26 for the remainder of the current year in the manner, and

27 upon the payment of the registration fee, herein provided.

28 All certificates of registration issued pursuant to the  
29 provisions of this section shall be issued for the calendar  
30 year, and shall be valid from the date on which issued  
31 until the thirty-first day of December of that year.

Sec. 4. *Forms for Registration; Records; License Tags.*—

2 The commissioner of agriculture shall prescribe the form  
3 of all applications, certificates of registration, and regis-  
4 tration tags required by this article. Certificates of regis-  
5 tration and registration tags shall bear identifying num-  
6 bers.

7 A public record of all certificates of registration and  
8 registration tags issued under the provisions of this article  
9 shall be kept by the assessor of each county. Such record  
10 shall be kept intact and available for inspection for a  
11 period of not less than two years following the end of  
12 the registration year.

13 Registration tags shall be made of metal or some other  
14 suitable substance of a permanent nature. The design of  
15 such tags shall be changed from year to year so that  
16 identification of the year of issue of any tag may be made

17 without close visual examination. If any registration tag  
18 be lost, a duplicate shall be furnished by such assessor  
19 upon proper proof of loss and the payment to him of a  
20 fee of twenty-five cents.

Sec. 5. *Wearing of Registration Tag by Dog.*—Every  
2 registered dog shall at all times wear a valid registration  
3 tag issued as provided in this article. The failure to have  
4 displayed or worn on any dog, at any time, of such valid  
5 tag shall be prima facie evidence that such dog is not  
6 registered and such dog shall be subject to be, and shall  
7 be, impounded, sold, or destroyed as hereinbefore or here-  
8 inafter provided.

Sec. 6. *Appointment of County Dog Warden; Bond; Powers and Duties.*—The county court of each county  
2 may appoint and employ a county dog warden, and such  
3 number of deputies, for such time, and at such compen-  
4 sation, as such county court shall deem reasonable and  
5 necessary to enforce the provisions of this code with re-  
6 spect to the control and registration of dogs, the im-  
7 pounding, care and destruction of unlicensed dogs. Such  
8 county dog warden may be appointed a deputy assessor

10 for the purpose of collecting the dog tax and registration  
11 fees, taking the dog registration and providing the tags  
12 authorized by this article. The county dog warden and/or  
13 any deputies may, in the discretion of the county court,  
14 be regularly employed officers or agents of any humane  
15 society or society for the prevention of cruelty to animals,  
16 organized and operating under the laws of this state and  
17 owning, controlling and operating a suitable place within  
18 the county for impounding and destroying dogs. In addi-  
19 tion to the compensation provided for above, a bounty of  
20 fifty cents per dog shall be paid to the county dog warden  
21 or deputy who captures an unregistered dog. Such county  
22 dog warden and deputy wardens shall each give bond in  
23 a sum of not less than one thousand dollars and not more  
24 than two thousand dollars conditioned on the faithful  
25 performance of their duties. Such bonds shall be filed  
26 with the county court by which such persons are ap-  
27 pointed.

28 The county dog warden and his deputies shall patrol  
29 the county in which they are appointed and shall seize  
30 on sight and impound any dog more than six months of

31 age found not wearing a valid registration tag, except  
32 dogs kept constantly confined in a registered dog ken-  
33 nel. They shall be responsible for the proper care and  
34 final disposition of all impounded dogs. The county dog  
35 warden shall make a monthly report, in writing, to the  
36 county court of his county. When any dog shall have been  
37 seized and impounded, the county dog warden shall forth-  
38 with give notice to the owner of such dog, if such owner  
39 be known to the warden, that such dog has been im-  
40 pounded and that it will be sold or destroyed if not re-  
41 deemed within five days. If the owner of such dog be not  
42 known to the dog warden, he shall post a notice in the  
43 county court house describing the dog and the place  
44 where seized and advising the unknown owner that such  
45 dog will be sold or destroyed if not redeemed within five  
46 days.

Sec. 7. *Dog Pounds.*—The county court of each county,  
2 if the court appoints a county dog warden, shall provide  
3 the dog warden with nets and other suitable devices for  
4 taking dogs in a humane manner, and with facilities  
5 for transporting any dog seized to the dog pound, a

6 suitable place for impounding dogs with proper provisions  
7 for their feeding and care, and humane equipment, de-  
8 vices and methods for destroying dogs: *Provided*, That in  
9 any county in which there is a society for the prevention  
10 of cruelty to animals or a humane society, incorporated  
11 and organized under the laws of this state, and having  
12 one or more duly appointed agents, and maintaining an  
13 animal home or shelter suitable for impounding dogs and  
14 possessing devices for humanely destroying dogs, the  
15 county court shall not be required to provide a dog pound,  
16 but it may designate such animal home or shelter as the  
17 county dog pound, and the county dog warden shall in  
18 such case deliver all dogs seized by him and his deputies  
19 to such animal home or shelter for impounding and dis-  
20 position in the manner provided by this article. The  
21 county court shall provide for the payment of reason-  
22 able compensation, not to exceed the fees and costs pro-  
23 vided for in this article, to such society for the use of its  
24 facilities and services in impounding and disposing of  
25 dogs. Such compensation to such society shall be paid  
26 from the fund provided for in this article.

Sec. 8. *Impounding and Disposition of Dogs; Costs and*

2 *Fees.*—All dogs seized and impounded as provided in this  
3 article, except dogs taken into custody under section two  
4 of this article, shall be kept housed and fed in the county  
5 dog pound for five days after notice of seizure and im-  
6 pounding shall have been given or posted as required by  
7 this article, at the expiration of which time all dogs which  
8 have not previously been redeemed by their owners as  
9 herein provided, shall be sold or humanely destroyed.  
10 No dog sold as herein provided shall be discharged from  
11 the pound until such dog shall have been registered and  
12 provided with a valid registration tag.

13 The owner, keeper or harbinger of any dog seized and  
14 impounded under the provisions of this article may, at  
15 any time prior to the expiration of five days from the  
16 time that notice of the seizure and impounding of the  
17 dog shall have been given or posted as required by this  
18 article, redeem the same by paying to the dog warden  
19 or his authorized agent or deputy all of the costs asses-  
20 sed against such dog, and by providing a valid certificate  
21 or registration and registration tag for such dog.

22 Costs and fees shall be assessed against every dog seized  
23 and impounded under the provisions of this article, ex-  
24 cept dogs taken into custody under section two of this  
25 article, as follows:

|    |  |        |
|----|--|--------|
| 26 | Seizing dog and delivering to pound..... | \$2.00 |
| 27 | Serving or posting notice to owner.....  | .50    |
| 28 | Housing and feeding dog, per day.....    | .50    |

29 Such cost shall be a valid claim in favor of the county  
30 against the owner, keeper or harbinger of any dog seized  
31 and impounded under the provisions of this article and  
32 not redeemed or sold as herein provided, and such costs  
33 shall be recovered by the sheriff in a civil action against  
34 such owner, keeper, or harbinger.

35 A record of all dogs impounded, the disposition of such  
36 dogs, and a statement of costs assessed against each dog  
37 shall be kept by the dog warden and a transcript thereof  
38 shall be furnished to the sheriff quarterly.

Sec. 9. *Failure to Register Dog or Kennel; Alteration or*  
2 *Forging of Registration Certificate or Tag; Penalties.—*

3 Any person who owns, keeps, or harbors a dog, or who  
4 owns or operates a kennel, subject to registration under

5 the provisions of this article, and who fails, refuses, or  
6 neglects to register such dog or kennel, shall be guilty of  
7 a misdemeanor and upon conviction thereof, shall be  
8 fined not less than twenty-five nor more than one hun-  
9 dred dollars.

10 Any person who shall alter, or forge any certificate or  
11 tag, provided for in this article, or display, present, or  
12 utter such certificate as valid with knowledge that it has  
13 been altered or forged, or who knowingly causes or per-  
14 mits any dog owned, kept or harbored by him to wear  
15 any fictitious, altered, or invalid registration tag in place  
16 of a valid tag as required under the provisions of this  
17 article, shall be guilty of a misdemeanor, and upon con-  
18 viction thereof, shall be punished by imprisonment in the  
19 county jail for not more than thirty days or by a fine of  
20 not less than one hundred dollars nor more than five  
21 hundred dollars, or by both such fine and imprison-  
22 ment.

Sec. 10. *Dog and Kennel Fund; Disposition of Same.*—

2 All registration fees, head taxes, and fees and costs for  
3 impounding and disposing of dogs, as provided in this

4 article, and collected thereunder, shall be paid into the  
5 county treasury where they shall constitute and be set  
6 aside as a special fund to be designated the "dog and  
7 kennel fund".

8 The county court shall expend such fund, and issue  
9 drafts payable therefrom, for the following purposes, and  
10 no others: To pay the actual expenses incurred by the  
11 county court, the county assessor, and the sheriff in car-  
12 rying out the provisions of this article; to pay for the  
13 services of the dog warden, his deputies, pound keepers,  
14 and such other persons as may be employed, if any, or  
15 may render services, in actually carrying out the pro-  
16 visions of this article; to pay for the purchase, procure-  
17 ment, rental, construction, operation, maintenance and  
18 repair of any property, devices or facilities reasonably  
19 necessary and required to carry out the provisions of  
20 this article; to compensate any department of the state  
21 government or any local board of health for any neces-  
22 sary service rendered in connection with this article;  
23 to pay the costs of any rabies control project or program  
24 authorized by law; to compensate any persons who have

25 suffered loss or damage on account of the destruction,  
26 loss, or injury by dogs of any sheep, lamb, goat, kid or  
27 poultry, when such claims have been proved and allowed  
28 as provided in this article.

29 In the event that the dog and kennel fund shall in any  
30 year be insufficient to pay the several items set forth in  
31 this section, then the county court, may be, and it is  
32 hereby authorized and empowered to pay such items out  
33 of the county general fund. Any surplus of the dog and  
34 kennel fund remaining unexpended in the county treas-  
35 ury, and, in the opinion of the county court, not needed  
36 for the payment and satisfaction of claims and expenses  
37 as herein provided, shall annually be paid into and cred-  
38 ited to the county school fund, but the funds thus used  
39 shall be in an amount deemed proper and safe in the  
40 judgment and discretion of the county court.

Sec. 11. *Assessment of Dogs as Personal Property.*—

2 In addition to the head tax on dogs provided for in this  
3 article, the owner of any dog above the age of six months  
4 shall be permitted to place a value on such dog and have

5 such dog assessed as personal property in the same man-  
6 ner and at the same rate as other personal property.

Sec. 12. *Dogs Protected by Law; Unlawful Killing of*  
2 *Same; Aggrieved Owner's Remedy.*—Any dog which is  
3 registered, kept, and controlled as provided in this article  
4 shall be protected by law; and any person who shall un-  
5 lawfully kill or injure, administer poison to or knowingly  
6 expose the same so that it shall be taken by any such  
7 dog, or shall, in any other manner, intentionally and un-  
8 lawfully cause the death or injury of any such dog shall  
9 be guilty of a misdemeanor, and, if such dog be of the  
10 assessed value of more than twenty dollars, shall, upon  
11 conviction, be imprisoned in the county jail at hard labor,  
12 for a period not in excess of twelve months, or fined not  
13 in excess of two hundred dollars, or both, in the discre-  
14 tion of the court; and if such dog be of twenty dollars or  
15 less in assessed value, such person shall be imprisoned  
16 in the county jail at hard labor for a period not in ex-  
17 cess of six months, or fined not in excess of fifty dollars,  
18 or both, in the discretion of the court. Any person whose  
19 dog shall be killed or injured wrongfully or unlawfully

20 by any other person shall have a right of action against  
21 the person who shall so kill or injure such dog, but in no  
22 case can recovery be had in excess of the assessed value  
23 of such dog. In no case can any action under the provi-  
24 sions of this section be maintained if the dog concerned  
25 shall not have been duly registered pursuant to the pro-  
26 visions of this article at the time the cause of action shall  
27 have arisen.

28 It shall be the duty of all members of the department  
29 of public safety, sheriffs, constables, and police officers  
30 to aid in the enforcement of the provisions of this article,  
31 and for services rendered in the enforcement thereof such  
32 persons shall be entitled to fees in the amounts set forth  
33 in section eight. Such fees shall be paid by the county  
34 court from the dog and kennel fund.

Sec. 13. *Dog Running at Large Liability of Owner.*—

2 Any owner or keeper of any dog who permits such dog to  
3 run at large shall be liable for any damages inflicted upon  
4 the person or property of another by such dog while so  
5 running at large.

Sec. 14. *Dog Killing or Worrying Livestock; Recovery*

2 of *Damages from Owner of Dog or County Court*.—If any  
3 dog shall have killed or assisted in killing, wounding or  
4 worrying any sheep, lambs, goats, kids, or poultry out  
5 of the inclosure of the owner of such dog, the owner or  
6 keeper of such dog shall be liable to the amount of such  
7 sheep, lambs, goats, kids or poultry in the amount of the  
8 damages sustained, to be recovered in an action before  
9 any court or justice having jurisdiction of such action;  
10 and it shall not be necessary to sustain such action to  
11 prove that the owner of such dog knew such dog was  
12 accustomed to do such worrying, killing or wounding;  
13 but a recovery under this section shall bar and preclude  
14 the owner of such sheep, lambs, goats, kids or poultry  
15 from obtaining compensation from the county court under  
16 the provisions of this article. If such person suffering  
17 such loss or damage cannot ascertain the owner or keeper  
18 of such dog, or if such owner or keeper is not financially  
19 responsible, then the person suffering such loss or dam-  
20 age may file his claim with, and prove the same before,  
21 the county court of the county in which such loss or  
22 damage is sustained, in the manner provided in this

23 article, and the court shall pay such loss or damage out  
24 of the fund provided for such purposes and according to  
25 the provisions of this article. When compensation is so  
26 obtained from the county court, said county court is au-  
27 thorized to sue under this section and recover as the  
28 owner of the sheep, lambs, goats, kids or poultry might  
29 have done, and the amount so recovered shall be paid into  
30 the county treasury; but no suit shall be commenced un-  
31 less authorized by the county court.

Sec. 15. *Same; Assessment of Damages; Appraisers.*—

2 Authority is hereby given to justices of the peace and  
3 notaries public within this state, and within their respec-  
4 tive jurisdictions, to summon three substantial, upright  
5 and worthy bona fide residents, citizens and taxpayers of  
6 his county to assess the damages suffered by any person  
7 on account of the destruction, loss or injury of any sheep,  
8 lambs, goats, kids or poultry by dogs within the county.  
9 Such appraisers shall be appointed upon the request of  
10 any person suffering damages on account of such destruc-  
11 tion, loss or injury, and shall go upon the ground and in-  
12 vestigate fully the extent of such destruction, loss or

13 injury, taking all the evidence deemed necessary to ar-  
14 rive at the facts to be passed upon in arriving at the  
15 amount of damage, if any, suffered by the party making  
16 the complaint. Before such appraisers may be summoned  
17 by such justice or notary public, such complainant shall  
18 be required to make a sworn complaint before such  
19 justice or notary public, setting out in plain, easily com-  
20 prehended terms the facts concerning his damage to the  
21 best of his knowledge. And after making a full investi-  
22 gation of the facts involved, such appraisers, with the  
23 assistance of such justice or notary public, shall make a  
24 sworn statement and report the facts ascertained and the  
25 damages suffered, which report and statement shall be  
26 filed with the county court or the clerk thereof in vaca-  
27 tion. The fees and mileage for services allowed in such  
28 cases shall be the same as are allowed justices, witnesses  
29 and arbitrators in justices' courts in this state for similar  
30 services. In the event that such appraisers find that the  
31 complainant has suffered no damage, then the complain-  
32 ant shall be responsible for and pay all the costs and ex-  
33 penses of such proceeding; and in the event that such

34 complainant has suffered damages on account of the  
35 destruction, loss or injury of any such domestic animals,  
36 according to the finding of such appraisers, then in such  
37 event the owner, keeper or person permitting the dog,  
38 or dogs, causing such damage to remain upon premises  
39 under his control shall be liable for all damage sustained  
40 by the complainant, including all costs and necessary  
41 expenses, all of which shall be collectible by an action  
42 at law before any court or justice having jurisdiction of  
43 the matter. All papers in connection with any such claim  
44 shall be filed and preserved in the office of the clerk of  
45 the county court.

Sec. 16. *Same; When Lawful to Kill Dog.*—Any person  
2 may kill any dog that he may see chasing, worrying,  
3 wounding or killing any sheep, lambs, goats, kids or  
4 poultry outside of the inclosure of the owner of such  
5 dog, unless the same be done by the direction of the owner  
6 of such sheep, lambs, goats, kids or poultry.

Sec. 17. *Same; Unlawful to Harbor Dog; Penalty.*—Any  
2 person who shall harbor or secrete or aid in secreting  
3 any dog which he knows or has reasons to believe has

4 worried, chased or killed any sheep, lambs, goats, kids  
5 or poultry not the property of the owner of such dog,  
6 out of his inclosure, or knowingly permits the same to  
7 be done on any premises under his control, shall be  
8 guilty of a misdemeanor, and, upon conviction thereof  
9 before any court or justice having jurisdiction thereof  
10 in the county in which the offense is committed, shall be  
11 fined not less than ten nor more than fifty dollars, and,  
12 at the discretion of the court or justice, imprisoned in the  
13 county jail not more than thirty days; and each day that  
14 such dog is harbored, kept or secreted shall constitute  
15 a separate offense.

*Sec. 18. Same; Duty of Owner to Kill Dog; Proceeding  
2 before Justice on Failure of Owner to Kill.—The owner  
3 or keeper of any dog that has been worrying, wounding,  
4 chasing or killing any sheep, lambs, goats, kids or poultry  
5 not the property of such owner or keeper, out of his in-  
6 closure, shall, within forty-eight hours after having re-  
7 ceived notice thereof in writing from a reliable and trust-  
8 worthy source, under oath, cause such dog to be killed.  
9 If the owner or keeper refuses to kill said dog as herein-*

10 before provided, any justice of the peace, upon infor-  
11 mation, shall summon the owner or keeper of such dog,  
12 and, after receiving satisfactory proof that his dog did the  
13 mischief, shall issue a warrant on application being made  
14 by the owner of the sheep, lambs, goats, kids or poultry  
15 killed; and give it into the hands of the constable, special  
16 constable or sheriff, who shall kill the dog forthwith. The  
17 cost of such proceedings shall be paid by the owner or  
18 keeper of the dog so killed, including a fee of fifty cents  
19 to the officer killing the dog. The owner or keeper of the  
20 dog so killed shall, in addition to the costs, be liable to  
21 the owner of the sheep, lambs, goats, kids or poultry or  
22 to the county court, for the value of the sheep, lambs,  
23 goats, kids or poultry so killed or injured.

Sec. 19. *Offenses; Penalties.*—Any person who shall  
2 violate any of the provisions of this article for which no  
3 specific penalty is prescribed shall be guilty of a misde-  
4 meanor, and, upon conviction thereof, shall be fined not  
5 more than one hundred dollars, and, in the discretion of  
6 the court or justice trying the case, may be confined in  
7 the county jail not to exceed thirty days. Justices of the

8 peace shall have concurrent jurisdiction with the circuit,  
9 criminal and intermediate courts to enforce the penalties  
10 prescribed by this article.

*[Faint signature]*  
Chairman Senate Committee

Originated in the House of Delegates

*[Faint signature]*  
Clerk of the Senate

*[Faint signature]*  
Clerk of the House of Delegates

*[Faint signature]*  
President of the Senate

*[Faint signature]*  
Governor

MAR 20 1951  
D. MITCHELL  
SECRETARY OF STATE

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

*Robert C Byrd*  
Chairman Senate Committee

*James H. Loop*  
Chairman House Committee

Originated in the House of Delegates

Takes effect *July 1, 1951.* ~~passage.~~

*Thomas Meyer*  
Clerk of the Senate

*J. R. Aliff*  
Clerk of the House of Delegates

*Franklin D. Hunter*  
President of the Senate

*W. E. Clow*  
Speaker House of Delegates

The within *approved* this the *16th*  
day of *march*, 1951.

*Chas. L. Patterson*  
Governor



IN THE OFFICE OF THE SECRETARY OF STATE  
of West Virginia **MAR 16 1951**  
D. PITT O'BRIEN,  
SECRETARY OF STATE