

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 429

(By Mr. Warden)



PASSED March 10, 1951

In Effect 90 days from Passage



429

ENROLLED

House Bill No. 429

(By MR. WARDEN)

[Passed March 10, 1951; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article eight, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to jails and compensation by county for use of city jail.

Be it enacted by the Legislature of West Virginia:

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


Section 1. *Jail; Temporary Jail; Compensation by County for Use of City Jail.*—The jail of the county shall be the jail provided by the county court as required by law. When a county is without a sufficient jail, or its jail is to be removed, rebuilt or repaired, the circuit court, or the judge thereof in vacation, may adopt the jail of another county as its jail until a sufficient jail is obtained by building or repairing. And persons commit-

9 ted, or to be committed, to the jail of the first mentioned
10 county, at or after such adoption, and before a sufficient
11 jail is so obtained, shall be conveyed to the jail so adopted.

12 The jail of any county in which the supreme court of
13 appeals may sit may be used as a jail for said court.

14 The county court of each county, or tribunal created
15 in lieu thereof, shall have authority to provide for and
16 pay to any city, town or village in this state in which no
17 county jail or other place of imprisonment is owned by
18 the county, not more than one dollar fifty cents for the
19 first day and not more than one dollar for each subse-
20 quent day that any person charged with a criminal of-
21 fense may be temporarily held in the jail or lockup be-
22 longing to such city, town or village: *Provided*, That the
23 provisions of this paragraph shall not apply to any per-
24 son imprisoned for a violation of the ordinances of any
25 city, town or village: *Provided*, *further*, That in no case
26 shall such payment be made for a period of more than
27 five days for the detention of any one person held under
28 any charge or charges at any one time. No such payment
29 shall be made unless the amount of such charge is cer-

30 tified by the justice or other authority under whose juris-
31 diction such person is detained in the same manner as
32 other costs in criminal cases are now required by law to
33 be certified. The payment provided for in this section
34 shall be made, in cases of persons charged with felonies
35 or misdemeanors, in the manner and from the proper
36 fund, according to the character of the offense charged,
37 as provided by law for the payment of other costs pay-
38 able by the county courts in criminal cases.



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

Robert C. Byrd
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the House of Delegates

Takes effect *90 days from* passage.

Thomas H. Byrd
Clerk of the Senate

J. R. Aliff
Clerk of the House of Delegates

W. L. Harrison
President of the Senate

W. E. Ransom
Speaker House of Delegates

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

Okuy L. Patterson
Governor



West Virginia
MAR 16 1951
D. PITT O'BRIEN,
SECRETARY OF STATE