

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 203

(By Mr. Bowler)



PASSED February 27 1953

In Effect Twenty days from Passage



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

MAR 5 1953

D. PITT O'BRIEN,

SECRETARY OF STATE

203

ENROLLED

House Bill No. 203

(By MR. BOWLES)

[Passed February 27, 1953; in effect ninety days from passage]

AN ACT to amend and reenact section thirty-one, article five, chapter twenty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to mentally diseased convicts.

Be it enacted by the Legislature of West Virginia:

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

Section 31. *Mentally Diseased Convicts.*—When any
2 Convict in any of the state's prisons becomes mentally
3 ill before his or her term of sentence expires, it shall
4 become the duty of the warden or superintendent of
5 such prison to notify the board of control which in turn
6 shall cause such convict, if a white male, to be sent to
7 the criminal mentally ill building at the Weston state

8 hospital, or, if a white female, to the Weston state hos-
9 pital and if colored, either male or female, to the Lakin
10 state hospital at Lakin. It shall then be the duty of the
11 examining board of the hospital in which such convict
12 shall be confined to observe said convict for a period of
13 thirty days. If it be determined that said convict is not
14 mentally diseased he or she shall forthwith be returned
15 to prison. If it be determined that said convict is mentally
16 diseased then the examining board shall proceed in
17 accordance with section three, article four, chapter twenty-
18 seven of the code of West Virginia.

19 When it is determined that such mentally diseased
20 convict has recovered he or she shall be returned forth-
21 with to prison. Any time spent in the Weston state
22 hospital or the Lakin state hospital shall be computed
23 as part of the term for which he or she was sentenced.
24 If the sentence of such convict expire while said convict
25 is at the Weston state hospital or the Lakin state hospital
26 then upon his or her recovery he or she shall be dis-
27 charged from said hospital in accordance with section

28 seven, article four, chapter twenty-seven of the code of
29 West Virginia.

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

H. M. Kenley
Chairman Senate Committee

W. H. Auerker
Chairman House Committee

Originated in the House of Delegates

Takes effect *ninety days from* passage.

Howard Thayer
Clerk of the Senate

Garrett
Clerk of the House of Delegates

Reph. G. Zear
President of the Senate

W. H. Kenney
Speaker House of Delegates

The within *approved* this the *5th* day of *March*, 1953.

William C. Marland
Governor

