

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 388

(By Mr. Moreland)



PASSED March 10 1953

In Effect thirty day from Passage



388

ENROLLED
House Bill No. 388
(By MR. MORELAND)

[Passed March 10, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section ten, article four, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the arrest, detention and further hospitalization of mentally ill or mentally defective persons who have escaped, eloped, been paroled or been placed on trial visit from any hospital or other institution to which such persons have been committed.

Be it enacted by the Legislature of West Virginia:

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

Section 10. *Return of Escapees or Parolees to Hospital or Institution.*—If any person confined in a state hospital
escape therefrom, the superintendent thereof shall issue
a notice, giving the name and description of the per-

5 son escaping, and requesting his apprehension and re-
6 turn to the hospital, and may offer such reward for
7 the return of such person as the board of control may
8 authorize. The superintendent may issue a warrant di-
9 rected to the sheriff of the county, commanding him
10 to arrest and carry such escaped person back to the
11 hospital, which warrant the sheriff may execute in any
12 part of the state. If such person flee to another state,
13 the superintendent shall notify the board of control,
14 and the board shall take such action as it may deem
15 proper in the premises for the return of such person to
16 the hospital.

17 If any veteran duly committed to a veteran's hospital
18 or other veteran's institution, either within or without the
19 state, escape or elope therefrom and any person make
20 complaint, under oath, to the clerk of the county court
21 of the county from which such veteran was so committed,
22 giving such information and stating such facts therein as
23 may be required, or if any veteran duly committed to a
24 veteran's hospital or other veteran's institution, either
25 within or without the state, escape or elope therefrom and

26 the superintendent or chief officer of such hospital or in-
27 stitution issue notice to the clerk of the county court of
28 the county from which such veteran was so committed,
29 giving the name and description of such veteran and re-
30 questing his apprehension and return to such hospital or
31 institution, the clerk, upon receipt of such complaint or
32 of such notice, may issue a warrant directed to the sheriff
33 of the county commanding him to arrest and carry such
34 veteran back to such hospital or institution, which war-
35 rant the sheriff may execute in any part of the state.

36 The sheriff or other person making any arrest under this
37 section shall be paid such compensation as is provided
38 for like services in other cases, and such additional com-
39 pensation in any case as the board of control may think
40 reasonable and just.

41 The foregoing provisions shall likewise apply to any
42 person released from a state hospital, or to any veteran
43 released from a veteran's hospital or other veteran's insti-
44 tution, either within or without the state, on trial visit
45 or on parole whose conduct becomes such as to warrant
46 his return to such hospital or institution.

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

the foregoing bill is correctly enrolled.

H. M. Hawley
Chairman Senate Committee

J. H. Acubler
Chairman House Committee


Originated in the House of Delegates

Takes effect January 1, 1968 passage.

Harvard Wiley
Clerk of the Senate


Clerk of the House of Delegates

Ralph J. Bean
President of the Senate


Speaker House of Delegates

The within approved this the 16th
day of March, 1953.

William C. Macland
Governor

not in the Office of the Secretary of State
of West Virginia MAR 16 1953

D. PITT O'BRIEN,
SECRETARY OF STATE