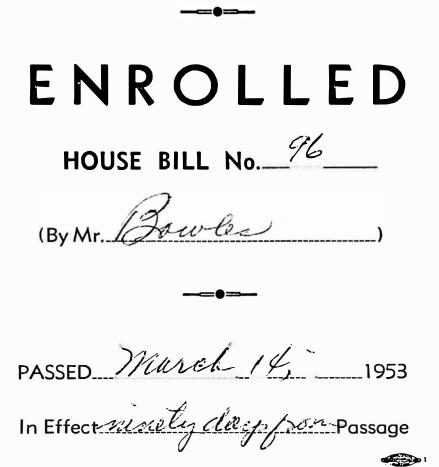
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953





ENROLLED House Bill No. 96

(By MR. Bowles)

[Passed March 14, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article eighteen, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the criminal jurisdiction and procedure of justices of the peace.

Be it enacted by the Legislature of West Virginia:

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

Section 1. Limits of, and Cases in Which Justice May 2 Exercise Criminal Jurisdiction; Penalties.—A justice shall 3 have jurisdiction of the following offenses committed 4 in his county, or on any river or creek adjoining thereto: 5 (a) In cases of assault and battery, unless the offense 6 was committed on a sheriff or other officer or justice, 7 or riotously, or with intent to commit a felony; and no Enr. H. B. No. 96]

8 compromise with the party injured shall affect or pre9 vent the trial of such offense by the justice; and if a
10 defendant be convicted of such offense he shall be fined
11 not less than five nor more than fifty dollars;

12 (b) In cases of trespass to personal property; and, if
13 a defendant be convicted of such offense, he shall be
14 fined not less than five nor more than fifty dollars;

(c) In cases for the violation of section fourteen, article six, chapter sixty-one of this code; and, upon the conviction of a defendant for a violation of any of the provisions of said section, he shall be punished as therein
provided;

20 (d) In cases of adultery and fornication; and, if a de21 fendant be convicted of such offense, he shall be fined
22 twenty dollars;

(e) In cases of petit larceny; and, if a defendant be
convicted of such offense, he shall be fined not less than
ten nor more than thirty dollars, and may, at the discretion of the justice or jury trying the case, be imprisoned
in the county jail not exceeding thirty days;

28 (f) In cases for the violation of article seven, chapter

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29 sixty-one of this code; and, upon the conviction of a de-30 fendant for a violation of any of the provisions of 31 said article, he shall be punished as therein pro-32 vided;

33 (g) In any case where the punishment is limited to
34 a fine not exceeding ten dollars, or to imprisonment for
35 not more than ten days.

36 (h) In all misdemeanor cases for the violation of the37 provisions of chapter sixty of said code as amended.

(i) In cases for the violation of section thirteen, article
six, chapter sixty-one of this code; and, upon the conviction of a defendant for a violation of any of the provisions of said section, he shall be punished as therein
provided.

(j) In all misdemeanor cases for the violation of the
provisions of chapter nineteen of this code. Upon conviction of a defendant for a violation of any of the provisions of chapter nineteen of this code, the defendant shall
be punished as therein provided.

48 Provided, however, That whenever a person has been49 convicted in the municipal or police court of any incor-

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50 porated town or city, such conviction shall be a bar to
51 any criminal proceedings before a justice for the same
52 offense.

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

on hairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect ninely day from passage. Clerk of the Senate Clerk of the House of Delegates Fresident of the Senate Unne

Speaker House of Delegates

The within approved this the 2011

day of March, 1953.

William C. Marlon Governor

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