WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

SENATE BILL NO. 141

(By Mr. Martin)

PASSED 5 1959

In Effect  Passage

Filed in Office of the Secretary of State
of West Virginia  MAR 12 1959
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section fifteen, article five, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the auditing and payment of claims of justices and constables; annual statement of sheriff of fines and costs received from justices; payment into state treasury.

Be it enacted by the Legislature of West Virginia:

That section fifteen, article five, 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 15. Auditing and Payment of Claims of Justices and Constables; Annual Statement of Sheriff of Fines and
Costs Received from Justices; Payment into State Treasury.—All claims by justices and constables for fees due them in misdemeanor proceedings in the county instituted before them on and after the effective date of this section, shall be audited and examined by the county court, and if found correct and if submitted, as provided in section fourteen, article seventeen, chapter fifty of this code, the county court shall cause orders to be issued therefor on the sheriff to be paid out of the general school fund or out of the general county fund, as the court may direct. The sheriff shall annually, during the month of January, render under oath to the auditor a true statement of the account of all fines and costs collected by justices and transmitted to him and pay into the treasury of the state, the net proceeds of such fines and costs as exhibited by such account, to be appropriated as directed by the fifth section of article twelve of the constitution; failure so to do shall be deemed a breach of his official duty. For the purposes of this section, the net proceeds of such fines and costs shall be deemed to be the proceeds remaining after deducting therefrom the lawful fees of constables and jus-
ties of the peace; cost of auditing the accounts of justices
of the peace and constables by the chief inspector's office;
and expenses for operation and maintenance of the county
jail.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect upon passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 12th day of March 1959.

Governor