

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1959

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**ENROLLED**

SENATE BILL NO. 141

(By Mr. MARTIN)

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PASSED March 5, 1959

In Effect from Passage



Filed in Office of the Secretary of State  
of West Virginia MAR 12 1959  
JOE F. BURDETT  
SECRETARY OF STATE

**ENROLLED**

**Senate Bill No. 141**

(By MR. MARTIN)

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[Passed March 5, 1959; in effect from passage.]

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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  
2 and Constables; Annual Statement of Sheriff of Fines and*

3 *Costs Received from Justices; Payment into State Treas-*  
4 *ury.*—All claims by justices and constables for fees due  
5 them in misdemeanor proceedings in the county instituted  
6 before them on and after the effective date of this section,  
7 shall be audited and examined by the county court, and  
8 if found correct and if submitted, as provided in section  
9 fourteen, article seventeen, chapter fifty of this code, the  
10 county court shall cause orders to be issued therefor on  
11 the sheriff to be paid out of the general school fund or out  
12 of the general county fund, as the court may direct. The  
13 sheriff shall annually, during the month of January, ren-  
14 der under oath to the auditor a true statement of the ac-  
15 count of all fines and costs collected by justices and trans-  
16 mitted to him and pay into the treasury of the state, the  
17 net proceeds of such fines and costs as exhibited by such  
18 account, to be appropriated as directed by the fifth section  
19 of article twelve of the constitution; failure so to do shall  
20 be deemed a breach of his official duty. For the purposes  
21 of this section, the net proceeds of such fines and costs  
22 shall be deemed to be the proceeds remaining after de-  
23 ducting therefrom the lawful fees of constables and jus-

24 tices of the peace; cost of auditing the accounts of justices  
25 of the peace and constables by the chief inspector's office;  
26 and expenses for operation and maintenance of the county  
27 jail.

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

*W. Jasper*  
Chairman Senate Committee

*J. F. Orem*  
Chairman House Committee

Originated in the Senate.

Takes effect *from* passage.

*Hoover Myers*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Ralph Bean*  
President of the Senate

*H. R. Pauley*  
Speaker House of Delegates

The within *approved* this the *12<sup>th</sup>* day of *March*, 1959.

*Lin Dunderwood*  
Governor

