

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 339

(By Mr. Abrams and Miss Teapix)



PASSED March 8 1963

In Effect ninety days from Passage



Filed in Office of the Secretary of State
of West Virginia 3-15-63

JOE F. BURDETT
SECRETARY OF STATE

339

ENROLLED
House Bill No. 339

(By MR. ABRAMS and MISS TSAPIS)

[Passed March 8, 1963; in effect ninety days from passage.]

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 insti-
6 tuted before them on and after the effective date of this
7 section, shall be audited and examined by the county
8 court, and if found correct and if submitted, as provided
9 in section fourteen, article seventeen, chapter fifty of
10 this code, the county court shall cause orders to be issued
11 therefor on the sheriff to be paid out of the general school
12 fund or out of the general county fund, as the court may
13 direct. The sheriff shall annually, during the month of
14 January, render under oath to the auditor a true state-
15 ment of the account of all fines and costs collected by
16 justices and transmitted to him and pay into the treasury
17 of the state, the net proceeds of such fines and costs as
18 exhibited by such account, to be appropriated as directed
19 by the fifth section of article twelve of the constitution;
20 failure so to do shall be deemed a breach of his official
21 duty. For the purposes of this section, the net proceeds
22 of such fines and costs shall be deemed to be the proceeds
23 remaining after deducting therefrom the lawful fees of
24 constables and justices of the peace; cost of auditing the

25 accounts of justices of the peace and constables by the
26 chief inspector's office; expenses for operation and main-
27 tenance of the county jail; and the costs of constructing,
28 reconstructing and renovating any jail facility used for
29 county prisoners.

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

Ray Parker
Chairman Senate Committee

Edith L. Crandall
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Thayer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard Roberson
President of the Senate

Julius W. Singleton Jr.
Speaker House of Delegates

The within approved this the 14th
day of March, 1963.

W. B. Bann
Governor

