WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

HOUSE BILL No. 753

(By Mr. Black and Mr. Bailey)

PASSED March 13, 1965

In Effect ninety days from Passage
AN ACT to amend and reenact section two, article three, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, to provide that a county court of every county having a population in excess of two hundred thousand may provide at the county seat or elsewhere in the county, as the county court shall determine, a suitable jail or jails.

Be it enacted by the Legislature of West Virginia:

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

Article 3. County Property.

Section 2. Courthouse, Jail and Offices.—The county
court of every county, at the expense of the county, shall provide at the county seat thereof a suitable courthouse and jail, together with suitable offices for the judge of the circuit court and judges of courts of limited jurisdiction, clerks of such courts and of the county court, assessor, sheriff, prosecuting attorney, county superintendent of schools, and surveyor, and such other offices as are or may be required by law: Provided, That the county court of every county having a population in excess of two hundred thousand may provide at the county seat or elsewhere in the county, as the county court shall determine, a suitable jail or jails. The county court shall keep the courthouse, jail and such other offices in constant and adequate repair, and supplied with the necessary heat, light, furniture, record books, and janitor service, and, except as to the office for the judge of the circuit court, with the necessary stationery and postage, and such other things as shall be necessary; but all of the public records, books and papers belonging or appertaining to the county surveyor's office shall be delivered to the clerk of the county court and retained by him in
his official possession and under his control and shall
constitute a part of the public records, books and papers
of his office. Such courthouses, jails and offices hereafter
erected shall be built of stone and brick, or stone or
brick, or other equally fireproof materials, and such offi-
ces shall be fireproof or be furnished with fireproof vaults
or safes. The jails shall be well secured, and sufficient
for the convenient accommodation of those who may be
confined therein, and so that the convicts may be in
apartments separate from each other, and from the other
prisoners; every apartment shall be so constructed that
it can be kept comfortable. The county court may also
provide other necessary offices and buildings, and may,
by purchase or otherwise, acquire so much land as may
be requisite or desirable for county purposes, and may
suitably inclose, improve and embellish the lands so
acquired.

Subject to the conditions hereinabove set forth with
respect to the site of the courthouse, jail, and other offices,
the court may, from time to time, as may seem to it
proper, provide, at the expense of the county, a new or
other building or buildings to be used for the courthouse and jail, or for either, together with suitable offices, as aforesaid, and for that purpose may acquire, by purchase or otherwise, and hold any lands, or lands and buildings, which may be necessary, and may inclose, improve and embellish the same. When such new or other building or buildings shall be ready for occupancy, the county court shall make an order declaring that, on a day to be therein named, such new or other building or buildings shall become the courthouse and/or jail of the county, and shall cause copies of the order to be posted at the front door of the new as well as of the old courthouse, at least twenty days before the day named in the order; and on and after the day so named such new or other building or buildings shall be and become, respectively, the courthouse and/or jail of such county in all respects and for all purposes. After such change shall have been made the county court may sell or otherwise dispose of, as may seem to it proper, the building or buildings previously used as a courthouse and jail, or either, and the land on which the same are, or either is, situated, and of the interest of the county therein.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 18

day of March, 1965.

Governor