

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

ENROLLED

HOUSE BILL No. 783

(By Mr. Black and Mr. Bailey)

PASSED March 13, 1965

In Effect ninety days from Passage



FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-18-65

783

ENROLLED
House Bill No. 783
(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


2 court of every county, at the expense of the county, shall
3 provide at the county seat thereof a suitable courthouse
4 and jail, together with suitable offices for the judge of
5 the circuit court and judges of courts of limited juris-
6 diction, clerks of such courts and of the county court,
7 assessor, sheriff, prosecuting attorney, county superin-
8 tendent of schools, and surveyor, and such other offices
9 as are or may be required by law: *Provided*, That the
10 county court of every county having a population in
11 excess of two hundred thousand may provide at the
12 county seat or elsewhere in the county, as the county
13 court shall determine, a suitable jail or jails. The county
14 court shall keep the courthouse, jail and such other offices
15 in constant and adequate repair, and supplied with the
16 necessary heat, light, furniture, record books, and janitor
17 service, and, except as to the office for the judge of the
18 circuit court, with the necessary stationery and postage,
19 and such other things as shall be necessary; but all of
20 the public records, books and papers belonging or apper-
21 taining to the county surveyor's office shall be delivered
22 to the clerk of the county court and retained by him in

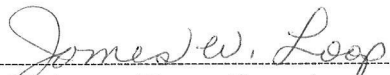
23 his official possession and under his control and shall
24 constitute a part of the public records, books and papers
25 of his office. Such courthouses, jails and offices hereafter
26 erected shall be built of stone and brick, or stone or
27 brick, or other equally fireproof materials, and such offi-
28 ces shall be fireproof or be furnished with fireproof vaults
29 or safes. The jails shall be well secured, and sufficient
30 for the convenient accommodation of those who may be
31 confined therein, and so that the convicts may be in
32 apartments separate from each other, and from the other
33 prisoners; every apartment shall be so constructed that
34 it can be kept comfortable. The county court may also
35 provide other necessary offices and buildings, and may,
36 by purchase or otherwise, acquire so much land as may
37 be requisite or desirable for county purposes, and may
38 suitably inclose, improve and embellish the lands so
39 acquired.

40 Subject to the conditions hereinabove set forth with
41 respect to the site of the courthouse, jail, and other offices,
42 the court may, from time to time, as may seem to it
43 proper, provide, at the expense of the county, a new or

44 other building or buildings to be used for the courthouse
45 and jail, or for either, together with suitable offices, as
46 aforesaid, and for that purpose may acquire, by purchase
47 or otherwise, and hold any lands, or lands and buildings,
48 which may be necessary, and may inclose, improve and
49 embellish the same. When such new or other building
50 or buildings shall be ready for occupancy, the county
51 court shall make an order declaring that, on a day to be
52 therein named, such new or other building or buildings
53 shall become the courthouse and/or jail of the county,
54 and shall cause copies of the order to be posted at the
55 front door of the new as well as of the old courthouse,
56 at least twenty days before the day named in the order;
57 and on and after the day so named such new or other
58 building or buildings shall be and become, respectively,
59 the courthouse and/or jail of such county in all respects
60 and for all purposes. After such change shall have been
61 made the county court may sell or otherwise dispose of,
62 as may seem to it proper, the building or buildings pre-
63 viously used as a courthouse and jail, or either, and the
64 land on which the same are, or either is, situated, and
65 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