ENROLLED BILL

Senate Bill No. 152

(By Mr. Smith)

Passed March 7, 1931

In Effect Ninety days from Passage
AN ACT to amend and re-enact section fourteen of article one of chapter fifty of the official code, relating to the appointment of special constables by justices of the peace, and the authority of such special constables to carry revolvers, pistols and other dangerous or deadly weapons of like kind or character.

Be it enacted by the Legislature of West Virginia:

That section fourteen of article one of chapter fifty of the official code, relating to the appointment of special constables by justices of the peace and the authority of such special constables to carry revolvers, pistols and other dangerous or deadly weapons
of like kind or character, be amended and re-enacted so as to read as follows:

Section 14. Whenever it shall satisfactorily appear to a justice issuing a summons, attachment or warrant of arrest in a civil action, or a warrant in a criminal proceeding, that a necessity exists therefor, he may appoint a special constable to execute the same, either by directing such process to such special constable by name as follows:

"To [Name of Special Constable] to execute this process," or by endorsing such appointment on such process:

Provided, That nothing herein contained shall be construed as empowering a justice to confer upon any special constable, so appointed by him, authority to carry revolvers, pistols or other dangerous or deadly weapons of like kind or character, nor shall any such authority be so conferred by any justice; and no special constable shall have or exercise such authority by virtue of such appointment, nor shall such authority be pleaded as a defense by any such special constable to any indictment for carrying such weapons.
Enrolled S. B. No. 152]

Speaker of the House of Delegates.

Clerk of the House of Delegates.

President of the Senate.

Clerk of the Senate.

The within is

13th March, 1931.

Governor.

Filed in the office of the Secretary of State of West Virginia 13 March 1931.

GEORGE W. EBASPA,
Secretary of State.