

2-24-33

#44

# ENROLLED BILL

Regular Session

SENATE BILL NO. 44

By Mr. Taylor (By Request)

PASSED February 22, 1933

IN EFFECT from PASSAGE

Originating in the Senate Takes effect from Passage.  
Shubert Clerk. Geo. S. Kace Clerk of the House of Delegates.

CORRECTLY ENROLLED

James R. Smith Chairman House Committee. James A. Hays Chairman Senate Committee.

### ENROLLED BILL

(S. B. No. 44)

[Passed February 22, 1933; in effect from passage.]

AN ACT to amend and reenact section fourteen, article one, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, 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, and the authority of such special constables to execute or assist in executing any warrant in any criminal proceeding.

*Be it enacted by the Legislature of West Virginia:*

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

Section 14. Whenever it shall satisfactorily appear to a

CORRECTLY ENROLLED

*Wm. D. Hoyle*

Chairman Senate Committee.

*James E. Smith*

Chairman House Committee.

*James E. Smith*

2 justice issuing a summons, attachment or warrant of arrest  
3 in a civil action that a necessity exists therefor, he may  
4 appoint a special constable to execute the same, provided no  
5 duly elected constable is available, either by directing such pro-  
6 cess to such special constable by name as follows:

7 "To A.....B....., who is hereby  
8 appointed a special constable to execute this process," or by  
9 endorsing such appointment on such process: *Provided*, That  
10 nothing herein contained shall be construed as empowering  
11 a justice to confer upon any special constable, so appointed  
12 by him, authority to carry revolvers, pistols or other dan-  
13 gerous or deadly weapons of like kind or character, nor shall  
14 any such authority be so conferred by any justice; and no  
15 special constable shall have or exercise such authority by  
16 virtue of such appointment, nor shall such authority be  
17 pleaded as a defense by any such special constable to any  
18 indictment for carrying such weapons; *Provided further*,  
19 That nothing herein contained shall be construed as empow-  
20 ering a justice to confer upon any special constable, so ap-  
21 pointed by him, authority to execute or to aid or assist in  
22 executing any warrant in any criminal proceeding.

*John A. Davis*  
Chairman Senate Committee.

*Wm. M. Hunter*  
Speaker of the House of Delegates

*Geo. S. Wallace*  
Clerk of the House of Delegates.

*Wm. M. Hunter*  
President of the Senate.

CORRECTLY ENROLLED

*James L. Smith*  
Chairman House Committee.

*Arthur Smith*  
Clerk of the Senate.

The within is *approved*

this *28* day of *February*, 1933.

Filed in the office of the Secretary of State  
of West Virginia **FEB 28 1933**  
GEORGE W. SHARP,  
Secretary of State.

*Wm. M. Hunter*  
Governor.