ENROLLED BILL

Regular Session

SENATE BILL NO. 44

By Mr. [Signature]

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
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

duly elected constable is available, either by directing such pro-

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

tothing 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.
Enrolled S. B. No. 44]

Speaker of the House of Delegates

Clerk of the House of Delegates.

President of the Senate.

Clerk of the Senate.

The within is approved this 28th 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.

Governor.