

3/17-23
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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1935



ENROLLED

Committee Substitute For

HOUSE BILL No. 168

(By Mr.)



PASSED February 27 1935

In Effect from Passage

168

ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 168

(Originating in the Committee on the Judiciary).

[Passed February 22, 1935; in effect from passage.]

AN ACT to amend article four, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, relating to notaries public, by amending and reenacting sections four and five thereof, and by adding thereto a new section designated as section two-(a) providing for the qualifications of notaries public in more than one county.

Be it enacted by the Legislature of West Virginia:

That article four, chapter twenty-nine, of the code of West Virginia, one thousand nine hundred thirty-one, be amended, by amending and reenacting sections four and five thereof, and by adding a new section thereto designated as section two-(a), so as to read as follows:

Section 2-(a). A notary public appointed for any of the
2 counties of the state, upon filing in the office of the clerk of the
3 county court in any other county in the state a certificate of the
4 county clerk of the county for which he was appointed, setting
5 forth the fact of his appointment, the date thereof, and qualifi-
6 cations as such notary public and paying to said clerk of the
7 county court, where said certificate is filed, a fee of one dollar,
8 without any further qualification, shall thereupon have the right
9 to exercise all the functions of his office in the county in which
10 such certificate is filed, with the same effect in all respects as if
11 the same were exercised in the county in which he resides and
12 for which he was appointed.

13 The clerk of the county court of the county in which a
14 notary public resides and for which such notary public is
15 appointed, upon request, shall issue to such notary public
16 a certificate setting forth the fact of his appointment, the date
17 thereof, and qualification as such notary public, and that such
18 notary public is a resident of his county, and the clerk of the
19 county court shall insert therein the name of the county in
20 which such certificate is to be filed, for which certificate such

21 notary public shall pay a fee of one dollar to the clerk of the
22 county court for each such certificate so issued.

Sec. 4. A notary, under the regulations prescribed by law,
2 may take, within his county, and the county or counties to
3 which his commission has been extended, acknowledgments of
4 deeds and other writings. He shall be a conservator of the
5 peace within the county of his residence, and as such con-
6 servator shall exercise all the powers conferred by law upon
7 the justice of the peace.

Sec. 5. The certificate of a notary of this state, in cases speci-
2 fied in the two preceding sections, may be under his signature,
3 without his notarial seal being affixed thereto: *Provided,*
4 That a notary public who affixes his seal to any instrument
5 or other writings shall affix his seal for the county in which the
6 acknowledgment is taken and the certificate is made.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Clinton K. Wood
.....
Chairman Senate Committee

Amos M. Dickers
.....
Chairman House Committee

Originated in the *House of Delegates*

Takes effect *upon* passage.

Amos M. Dickers
.....
Clerk of the Senate

Geo. S. Stace
.....
Clerk of the House of Delegates

Chas. E. Hodges
.....
President of the Senate

Wm. A. Hunter
.....
Speaker House of Delegates.

The within *is approved* this the *28th*

day of *February*, 1935.

Filed in the office of the Secretary of State
of West Virginia, *MAR 2 1935*
Wm. S. O'Brien
Secretary of State

H. S. Kemp
.....
Governor.