

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943

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ENROLLED

SENATE BILL No. 199

(By Mr. Glunstein)

PASSED March 11 1943

In Effect Twenty days from Passage



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ENROLLED  
Senate Bill No. 199

(By MR. JOHNSTON, by request)

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[Passed March 11, 1943; in effect ninety days from passage]

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AN ACT to amend and reenact section five, article four, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, relating to the powers and duties of sergeants and policemen, and requiring sergeants to give bond.

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

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

Section 5. *Powers and Duties of Sergeants and Police-  
2 men; Bond of Sergeant.* In addition to the powers and

5 privileges within the corporate limits of the town in re-  
3 duties prescribed in section two, article seven of this  
4 chapter, the sergeant shall have all the powers, rights and  
6 gard to the arrest of persons, the collection of claims,  
7 and the execution and return of process that can legally  
8 be exercised by a constable of a district within the same.  
9 In order to arrest for violation of municipal ordinances  
10 and as to all matters arising within the corporate limits  
11 and coming within the scope of his official duties, the  
12 powers of the sergeant or of any policeman shall extend  
13 anywhere within the county or counties in which the  
14 municipality is situated. For an offense committed in  
15 his presence such officer may arrest the offender without  
16 a warrant and take him before the mayor or other police  
17 court to be dealt with according to law. He and his  
18 sureties shall be liable to all the fines, penalties and for-  
19 feitures that a constable of a district is liable to, for any  
20 failure or dereliction in such office, to be recovered in the  
21 same manner and in the same courts in which such fines,  
22 penalties and forfeitures are now recovered against such  
23 constable. The sergeant shall, before entering upon the

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24 duties of his office, execute a bond, conditioned according  
25 to law, with surety satisfactory to the council, payable to  
26 the town, in such penalty, not less than one thousand dol-  
27 lars, as the council may prescribe.

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

Ray Z. Garrison  
Chairman Senate Committee

And F. Potoff  
Chairman House Committee

Originated in the Senate

Takes effect thirty days from passage

W. Lee Watkins  
Clerk of the Senate

Stallip  
Clerk of the House of Delegates

James Paul  
President of the Senate

John E. Casser  
Speaker House of Delegates

The within approved this the 18th  
day of March, 1943.

Matthew Neely  
Governor.



Filed in the office of the Secretary of State  
of West Virginia MAR 18 1943

Wm. S. O'BRIEN,  
Secretary of State