

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 373

(By Mr. Schuyback & Mr. York)



PASSED March 4 1953

In Effect thirty days for Passage



373

ENROLLED
House Bill No. 373
(By MR. SCHUPBACH and MR. YOAK)

[Passed March 4, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-eight, article three, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to definition of "fireworks".

Be it enacted by the Legislature of West Virginia:

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

Section 28. "*Fireworks*" *Defined.*—The term "fireworks"

2 shall mean and include any combustible or explosive com-
3 position, or any substance or combination of substances,
4 or article prepared for the purpose of producing a visible
5 or an audible effect by combustion, explosion, deflagration
6 or detonations, and shall include blank cartridges, toy
7 pistols, toy cannons, toy canes, or toy guns in which ex-
8 plosives are used, the type of balloons which require fire

9 underneath to propel the same, firecrackers, torpedoes,
10 sky rockets, roman candles, daygo bombs, sparklers or
11 other fireworks of like construction and any fireworks con-
12 taining any explosive of flammable compound, or any
13 tablets or other device containing any explosive sub-
14 stance: *Provided, however,* That the term "fireworks",
15 as herein used, shall not be held to mean and include fixed
16 ammunition for firearms, and the primers therefor: *And*
17 *provided further,* That the term "fireworks" as herein
18 used, shall not include toy pistols, toy canes, toy guns or
19 other devices in which paper caps manufactured in ac-
20 cordance with the United States interstate commerce com-
21 mission regulations for packing and shipping of toy paper
22 caps are used and toy pistol paper caps manufactured as
23 provided therein, the sale and use of which shall be per-
24 mitted at all times.

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

H. P. McKeever
Chairman Senate Committee

C. H. Aubler
Chairman House Committee

Originated in the House of Delegates

Takes effect thirty days from passage.

Howard Myers
Clerk of the Senate

J. P. Aliff
Clerk of the House of Delegates

Ralph Beaman
President of the Senate

W. E. Slattery
Speaker House of Delegates

The within approved this the 11th
day of March, 1953.

William C. Marland
Governor



FILED IN THE OFFICE OF THE SECRETARY OF STATE
OF THE VIRGINIA **MAR 11 1953**

D. PITT O'BRIEN,

SECRETARY OF STATE