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ENROLLED BILL

*Committee Sub. for*

House Bill No. 48.

*From Committee on  
Counties, Districts and  
(By ~~Mr.~~ Municipal Corporations)*

Passed March 12, 1931

In Effect from Passage

Originated in the, s

*Clerk of the House of Delegates.*

**Clerk.**

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Chairman Senate Committee.

Chairman House Committee.

Section 5. The first election for manager-mayor and councilmen under this amendment to the charter shall be held on the fourth Thursday in May, one thousand nine hundred twenty-nine and every regular city election for manager-mayor and councilmen shall be held biennially thereafter on the fourth Thursday in May. All elections for manager-mayor and councilmen shall be conducted and the results ascertained and declared in accordance with the election laws of West Virginia in effect at the time of said election so far as the same may be applicable and not inconsistent with any of the provisions of this act, except that all other elections or votes on any question

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*Benjamin M. Madsen*

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12 by the qualified voters of said city shall be held or taken at  
13 such places under the supervision of such persons and subject  
14 to such regulations as are consistent with the said election laws  
15 of West Virginia and ordained by council.

16 The city council at its regular meeting held on the first Tues-  
17 day in April next before every election for the offices of man-  
18 ager-mayor and councilmen shall appoint for each voting pre-  
19 cinct in the city two competent persons as registrars one each  
20 from the two political parties which at the last preceding state  
21 and county election cast the highest number of votes in the  
22 county of Ohio, but the city executive committee of such po-  
23 litical parties shall present to the council a writing signed by  
24 the chairman of the committee of each party requesting the  
25 appointment of a qualified voter of his political party, as  
26 registrar, with his city address, for each precinct in the city and  
27 the council shall appoint the person named in such writing as  
28 such registrar. No person shall be eligible to appointment as  
29 a registrar, or in any way act as such, who has been convicted  
30 of a felony, or who holds any elective or appointive office or  
31 is an employee under the laws of the city of Wheeling, county  
32 of Ohio, state of West Virginia, or of the United States, or who

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*Joseph D. Smith*

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*Benjamin M. Adams*

Chairman House Committee

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33 is not a qualified voter in the precinct for which he is appoint-  
34 ed, or who can not read and write the English language. If  
35 such registrar shall fail or refuse to serve, the vacancy shall be  
36 filled either by the city council, or the manager-mayor of the  
37 city in vacation, in the manner hereinbefore provided for the  
38 appointment of registrars, and the city clerk shall notify all  
39 such persons of their appointment as registrars. Said regis-  
40 trars shall before entering upon the discharge of their duties  
41 take an oath to support the constitution of the United States,  
42 the constitution of West Virginia, and to perform the duties  
43 of their office to the best of their ability and that they are legal  
44 members of the party for which they are respectively appoint-  
45 ed. The said oath shall be filed in the office of the city clerk.  
46 The city clerk shall cause to be prepared suitable books and  
47 blanks for the registration of the voters and such books shall be  
48 so arranged as required by law for the registration of voters  
49 for general elections held in the state of West Virginia and all  
50 the provisions, duties and obligations as set forth in the elec-  
51 tion laws of West Virginia shall apply to the registration of  
52 voters hereunder, except as herein otherwise set out and the  
53 city clerk shall perform the duties required of the county clerk.

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*Chairman Senate Committee.*

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*Chairman House Committee.*

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54 As soon as possible after their appointment the registrars  
55 shall proceed to register the names of all the qualified voters in  
56 their respective precincts and shall complete said registration  
57 on or before the third Thursday in April preceding said elec-  
58 tion, and, for the purpose of amending, correcting and complet-  
59 ing said registration, shall sit together at some convenient place  
60 within the voting precinct for two days, commencing the fourth  
61 Thursday in April preceding said election from nine o'clock  
62 a. m. to one o'clock p. m. and from two o'clock p. m. to nine  
63 o'clock p. m., and shall give notice of the time and place of  
64 their sitting for such registration and correction by posting  
65 written or printed notices of the time and place of such sitting  
66 for five days prior thereto at not less than three of the most  
67 conspicuous places in said voting precinct, one of which shall  
68 be at the place of voting in said precinct. At the time of said  
69 sitting the books of registration shall be open for public inspec-  
70 tion, and the said registrars, in the manner hereinbefore pro-  
71 vided shall register all qualified voters who have not thereto-  
72 fore been so registered by them and complete and finish their  
73 registration of the voters within their said precinct and make  
74 out two alphabetical lists of the registered voters within said

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75 precinct entitled to vote at the ensuing election as registered  
76 by them and shall sign and return the same to the city clerk  
77 on or before the first Thursday in May preceding said election;  
78 each of the said registrars shall receive the same compensation  
79 as may be provided by the laws of West Virginia for the per-  
80 formance of similar duties in state and county elections. The  
81 registration books shall be sent to the polling place along with  
82 the ballots and no person who is not duly registered thereon  
83 shall be allowed to vote at said election.

84 At the city primary to be held on the second Thursday in  
85 May, one thousand nine hundred thirty-one, and at each reg-  
86 ular city primary thereafter, the voters of each political party  
87 in each ward of the said city of Wheeling shall elect one male  
88 and one female member of the city executive committee. All  
89 members of the said city executive committee, respectively,  
90 elected for each of the wards of said city as herein provided,  
91 shall reside within the ward from which chosen, and shall be  
92 a known bona fide member of the party of which she or he  
93 is a candidate.

94 The term of the members of the said respective executive  
95 committees shall begin on the first day of June of the respec-

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*Chairman House Committee.*

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96 tive years in which they are elected and shall continue for  
97 the term of two years thereafter.

98 In the event of any vacancy occurring in any of said city  
99 executive committees, the city executive committee or the party  
100 in which such vacancy occurs shall fill such vacancy until the  
101 next election; and in the event of the death or resignation of  
102 any candidate for any political office in the said city of Wheel-  
103 ing subsequent to the said primary election and before the  
104 general election of said city of Wheeling, the city executive  
105 committee of the political party in which such vacancy occurs  
106 shall fill said vacancy.

107 The members of the present respective city executive com-  
108 mittees as now constituted shall hold their several offices and  
109 discharge the duties thereof until their successors are chosen  
110 and installed in accordance with the provisions hereof.

111 "Political party," as herein mentioned, shall be, within the  
112 meaning of this section, any affiliation of voters representing  
113 any principle or organization which, at the last preceding gen-  
114 eral city election, polled for its candidate for manager-mayor,  
115 at least ten per centum of the total vote cast for all candidates  
116 for that office.

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*Joseph D. Smith*

Chairman Senate Committee

*Benjamin Harrison*

Chairman House Committee

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117 The female candidates receiving the highest number of votes  
118 in their respective wards shall be duly elected as the female  
119 members of said committees from their respective wards; and  
120 the male candidates receiving the highest number of votes in  
121 their respective wards shall be duly elected as the male mem-  
122 bers of said committees from their respective wards. In the  
123 event of a tie vote in the election for city executive commit-  
124 tee, the city council, acting as a board of commissioners, shall  
125 decide such tie by lot.

Sec. 46. The council may, by ordinance, require city license  
2 for persons conducting and carrying on any business or vocation  
3 in the city, for which the state may now or hereafter require  
4 license, except that the council may by ordinance, require license  
5 for persons, firms, or corporations conducting and carrying on  
6 the business of installing plumbing and plumbing fixtures, the  
7 installation of electrical wiring and electrical fixtures and the  
8 business of conducting a miniature golf course, whether the state  
9 requires a license for such vocations or businesses or not.

Sec. 77. Taxes, real or personal, shall become due on such  
2 day or days as the council may determine, and the said council



3 may, in its discretion, provide that said taxes shall be payable  
4 in installments.

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*Lucius D. Smith*  
Chairman Senate Committee.

*R. H. Thayer*  
Clerk of the House of Delegates.

*J. Alfred Taylor*  
Speaker of the House of Delegates.

*W. H. H. H.*  
President of the Senate.

*M. S. Hayes*  
Clerk of the Senate.

The within is  
this 18th day of March 1931.

*W. G. Taylor*  
Governor.

*Augustine M. ...*  
Chairman House Committee.

Filed in the office of the Secretary of State  
of West Virginia. MAR 19 1931  
GEORGE W. SEAF,  
Secretary of State.