

Rec., May 22

117

ENROLLED BILL

(EXTRAORDINARY SESSION, 1933)

House Bill No. 117

(By Mr. Reed)

Passed May 17, 1933

In Effect from Passage

Originated in the.....*House*.....Takes effect.....*June 1*.....Passage

Geo. Hobbs
Clerk of the House of Delegates.

CORRECTLY ENROLLED

Geo. Hobbs
Clerk.

James L. Smith
Chairman Senate Committee.

James L. Smith
Chairman House Committee.

ENROLLED BILL

(H. B. No. 117)

[Passed May 17, 1933; in effect from passage.]

AN ACT to authorize and empower the boards of education of the several districts in the county of Clay to borrow funds from the reconstruction finance corporation or other agencies of the government and to liquidate the indebtedness incurred by said boards of education and to provide for the payment of same and to borrow and repay for other purposes.

Be it enacted by the Legislature of West Virginia:

Section 1. The boards of education hereinafter named in the 2 county of Clay, West Virginia, are hereby authorized and em- 3 powered to borrow not more than sixty thousand dollars from 4 the reconstruction finance corporation or other governmental 5 agencies for the purpose of liquidating their present indebted- 6 ness heretofore incurred by said boards of education and for

CORRECTLY ENROLLED

James L. Smith
James A. Henry

Chairman House Committee.

Chairman Senate Committee.

7 other purposes specially named herein, and said liquidation and
8 payment of debts to include all indebtedness chargeable to the
9 elementary teachers' fund and maintenance building elemen-
10 tary funds existing at the time the tax limitation amendment
11 became effective and also such indebtedness incurred subsequent
12 thereto, for other purposes so provided herein up to the time of
13 the passage of this bill, and said loan or loans to extend over a
14 period of twenty years.

Sec. 2. There is hereby created a special fund which shall be
2 designated and known as a liquidating fund of Union district,
3 Pleasants district, Buffalo district, Otter district, Henry dis-
4 trict and Henry Independent district, and the money derived
5 from said loans shall be deposited to the credit of each of the
6 liquidating funds by the said boards of education above named
7 and shall be disbursed in the manner herein provided as follows:

8 (a) The board of education of the district of Union, in the
9 county of Clay, is hereby authorized to borrow the sum of ten
10 thousand dollars;

11 (b) The board of education of the district of Pleasants, in the
12 county of Clay, is hereby authorized to borrow the sum of ten
13 thousand dollars;

CORRECTLY ENROLLED

James L. Smith
James A. Hyatt

Chairman House Committee.

Chairman Senate Committee.

Enrolled H. B. No. 117]

3

14 (c) The board of education of the district of Buffalo, in the
15 county of Clay, is hereby authorized to borrow the sum of ten
16 thousand dollars;

17 (d) The board of education of the district of Otter, in the
18 county of Clay, is hereby authorized to borrow the sum of ten
19 thousand dollars;

20 (e) The board of education of the district of Henry, in the
21 county of Clay, is hereby authorized to borrow the sum of ten
22 thousand dollars;

23 (f) The board of education of the district of Henry inde-
24 pendent, in the county of Clay, is hereby authorized to borrow
25 the sum of ten thousand dollars.

26 All such district boards of education of Clay county shall con-
27 tinue to exist and operate as under the present law during the
28 time all such loans are being liquidated and shall receive such
29 state aid or other aid as they would otherwise be entitled to
30 receive.

Sec. 3. Of the sum of each ten thousand dollars so lent each
2 of the several districts, fifteen hundred dollars out of each ten
3 thousand dollars shall be used for the construction and furnish-

CORRECTLY ENROLLED

James L. Smith
Chairman House Committee.
H. H. Hays
Chairman Senate Committee.

4

[Enrolled H. B. No. 117

ing a suitable community hall to be built in each of the respective
districts and to be situated in the most desirable and feasible
location where the density of the population is greatest; and of
the sum of fifteen hundred dollars so set aside for each of said
buildings, the sum of twelve hundred dollars shall be used in the
construction of the building in each district and the sum of
three hundred dollars in the furnishing and decoration of said
building: *Provided, however,* That the labor so used and work
done on the construction of any of the said buildings shall be
done by local labor and local material shall be used, and the
labor so employed shall be divided equally as near as it is pos-
sible to do so regardless of creed, religion or party affiliation:
Provided further, That of the said sum of ten thousand dollars
so mentioned above and provided to be spent, the boards, in
addition to applying such sums for the building and construc-
tion and decoration, as above stated, shall use in addition not
to exceed the sum of five hundred dollars out of each of the
respective sums of ten thousand dollars to be lent to the several
districts to purchase thoroughbred stock or fowls best suitable
for the county as a whole and the districts individually, which
shall become the common property of the several districts with-

CORRECTLY ENROLLED

D. H. J. R.

Chairman Senate Committee.

James L. Smith

Chairman House Committee.

Enrolled H. B. No. 117]

5

25 out any discrimination among the citizens as to the use of same;
26 the purpose being to encourage the raising of better stock and/or
27 fowls in the community in order that the people might be self-
28 supporting, and add to the economic value of the county.

Sec. 4. Any citizen receiving any livestock or fowls here-
2 under shall agree to have same assessed in his or her name on
3 the personal property books of said county and to pay taxes on
4 said stock or fowls, which taxes derived therefrom shall be placed
5 in the sinking fund herein provided: *Provided, however,* That
6 any citizen must further agree to return to the said board or
7 boards one-third of any increase in stock or fowls to the said
8 board or boards, and the said board or boards must then dis-
9 tribute such increase to the various citizens of the county again,
10 and must continue to do so until the respective districts shall
11 have sufficient stock or fowls as the needs of the district demand:
12 *Provided further,* That any citizen so receiving any of the stock
13 or fowls provided for herein shall give a good and sufficient bond
14 to insure against any loss or damage that may occur while in
15 his possession, and should any stock or fowls placed in any
16 citizen's care be killed or destroyed such citizen shall replace

CORRECTLY ENROLLED

James L. Smith
Henry A. Hyman

Chairman House Committee.

Chairman Senate Committee.

17 same with stock or fowl of equal value and the measure of value
18 shall be the market value at the time such stock or fowls are
19 killed or destroyed or any damage done thereto, and the bond
20 so given shall provide for the proper care of such stock or fowls
21 and the faithful performance of the contract with the respective
22 boards.

Sec. 5. When the aforesaid funds have been received and
2 properly credited as herein provided, the secretaries and the
3 presidents of the respective boards of education of each district
4 shall cause a notice to be published in two newspapers of general
5 circulation in said county that all outstanding claims drawn on
6 the teachers' elementary funds and maintenance building funds
7 of the several districts named herein and which are due and
8 unpaid shall be presented to said respective boards of the several
9 districts for liquidation and cancellation.

Sec. 6. All persons, firms or corporations holding any claim
2 on teachers' elementary fund or maintenance building elemen-
3 tary funds of any of the said districts which are due and unpaid
4 shall present the same for payment and cancellation to the
5 secretaries and the presidents of the respective boards of edu-
6 cation of the various districts of said county within thirty days

CORRECTLY ENROLLED

James A. Hays

Chairman Senate Committee.

James L. Smith

Chairman House Committee.

Enrolled H. B. No. 117]

7

7 of the date of said notice. Whereupon, the said board5of educa-
8 tion of the said respective districts shall proceed to pay off and
9 liquidate such claims by issuing drafts on said liquidating funds
10 of the said respective boards of education of the several districts
11 for the aggregate amount of the claims held by such persons,
12 firms or corporations, plus any interest that may have accrued
13 thereon, and such cancelled claims shall be filed by the several
14 respective secretaries and presidents of the boards of education
15 of the districts: *Provided, however,* That any check, draft or
16 order drawn on said boards shall not be paid and honored by
17 any bank or depository until the same has been countersigned
18 by the superintendent of schools of said county.

Sec. 7. If any amount remains in said funds after the afore-
2 said thirty days have expired, the boards of education of the
3 several districts of said county shall deposit the same to the
4 credit of the sinking fund or funds as hereinafter provided and
5 created.

Sec. 8. The said boards of education of each of the several
2 districts of said county shall set apart a sufficient amount from
3 the tax levied and collected annually each year to create a sink-
4 ing fund or funds for the repayment of the aforesaid loan or

CORRECTLY ENROLLED

James L. Smith

Chairman House Committee.

James A. Rogers

Chairman Senate Committee.

8

[Enrolled H. B. No. 117

5 loans on the basis of five per cent of the principal plus the

6 interest thereon annually, until such loans have been paid.

7 All acts and parts of acts inconsistent herewith are hereby

8 repealed.

CORRECTLY ENROLLED

James D. Smith
Chairman Senate Committee.

James D. Smith
Chairman House Committee.

B. M. Hiner
Speaker of the House of Delegates.

Geo. Wallace
Clerk of the House of Delegates.

B. M. Hiner
President of the Senate.

James D. Smith
Clerk of the Senate.

The within is.....

this..... day of..... 1933.

.....
Governor.

Filed in the office of the Secretary of State
of West Virginia. MAY 29 1933
Wm. S. O'BRIEN,
Secretary of State