

Rec., May 18

138

# ENROLLED BILL

(EXTRAORDINARY SESSION. 1933)

House Bill No. 138

(By Mr. Belknap)

Passed May 16, 1933

In Effect from Passage

..... passage

..... Takes effect

..... Originated in the

..... Clerk of the House of Delegates.

..... Clerk.

CORRECTLY ENROLLED

..... Chairman Senate Committee.

..... Chairman House Committee.

## ENROLLED BILL

(H. B. No. 138)

[Passed May 16, 1933; in effect from passage.]

AN ACT to authorize and empower the county court of Braxton county, West Virginia, to borrow funds from the reconstruction finance corporation, or other federal agency authorized to make loans, to liquidate indebtedness heretofore incurred by said court, and to provide for the repayment of same.

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

Section 1. That the county court of Braxton county, West Virginia, be authorized and empowered to borrow not exceeding one hundred thousand dollars from the reconstruction finance corporation, or other federal agency authorized to make loans, for the sole purpose of liquidating present indebtedness heretofore incurred by the said court, said liquidation and payment of debts to include all indebtedness chargeable to the county funds existing at the time this act takes effect. Said loan to

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*James L. Smith*  
*Henry D. Hyatt*

*Chairman House Committee.*

*Chairman Senate Committee.*

9 extend over a 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 county indebted-  
3 ness and the money derived from said loan shall be deposited  
4 to the credit of said liquidating fund by the said county court  
5 and the same shall be disbursed in the manner herein provided.

Sec. 3. When the aforesaid fund has been received and  
2 properly credited as herein provided, the clerk of the said  
3 county court shall cause notice to be published in two news-  
4 papers in general circulation in his county that all outstanding  
5 claims drawn on the county funds, which are due and unpaid,  
6 as herein provided shall be presented to the county court for  
7 liquidation and cancellation.

Sec. 4. All persons, firms or corporations holding any claims  
2 drawn on the county funds of their county, and which are due  
3 and unpaid at the time this act takes effect, shall present the  
4 same for payment and cancellation to the county court of said  
5 county within thirty days after the date of said notice, where-  
6 upon the said county court shall proceed to pay off and liquidate  
7 such claims by issuing drafts on said liquidating fund of said  
8 county for the aggregate amount of all claims held by such

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James L. Smith  
Chairman House Committee.  
H. B. No. 138  
Chairman Senate Committee.

Enrolled H. B. No. 138]

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9 persons, firms or corporations, plus interest that may have ac-  
10 crued thereon, and such cancelled claims shall be filed by the  
11 county clerk: *Provided further*, That no check, draft or order  
12 drawn on said fund shall be paid or honored by any bank or  
13 depository until the same has been countersigned by the prose-  
14 cuting attorney of said county.

Sec. 5. If any balance remains in said fund after the afore-  
2 said thirty days have expired, then the county court shall de-  
3 posit the same to the credit of the sinking fund as hereinafter  
4 provided and created.

Sec. 6. The said county court shall set apart a sufficient  
2 amount from the taxes, levied and collected annually, to create  
3 a sinking fund for the repayment of the aforesaid loan on the  
4 basis of five per cent of the principal plus the interest thereon  
5 annually. The county court, after a period of five years from  
6 the date of said loan, if it has sufficient funds on hand, may pay  
7 off and discharge the whole amount of the money so borrowed.  
8 All acts and parts of acts inconsistent herewith are hereby  
9 repealed.

CORRECTLY ENROLLED

*Arthur A. Holt*  
Chairman Senate Committee.

*William M. Shivers*  
Speaker of the House of Delegates.

*Geo. S. Hall*  
Clerk of the House of Delegates.

*Robert M. Mauney*  
President of the Senate.

*Amos Drury*  
Clerk of the Senate.

*James L. Smith*  
Chairman House Committee.

The within is.....

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

.....  
Governor.

Filed in the office of the Secretary of State  
of West Virginia **MAY 24 1933**  
Wm. S. O'BRIEN,  
Secretary of State