

Rec.
May 31

163

ENROLLED BILL

(EXTRAORDINARY SESSION, 1933)

House Bill No. 163

(By Mr. Zucker)

Passed May 25, 1933

In Effect from Passage

Passage

Takes effect

Originated in the

Clerk House of Delegates

Clerk

CORRECTLY ENROLLED

Chairman Senate Committee

Chairman House Committee

ENROLLED BILL

(H. B. No. 163)

[Passed May 25, 1933; in effect from passage.]

AN ACT to authorize and empower the Wayne county court to borrow funds from the reconstruction finance corporation, or any other governmental agency, to liquidate indebtedness incurred prior to June thirtieth, one thousand nine hundred thirty-three, and to provide for the repayment of same.

Be it enacted by the Legislature of West Virginia:

Section 1. That the Wayne county court be authorized and empowered to borrow not exceeding one hundred thousand dollars from the reconstruction finance corporation, or any other governmental agency, for the sole purpose of liquidating indebtedness incurred by the said court prior to June thirtieth, one thousand nine hundred thirty-three, said liquidation and payment of debts to include all indebtedness chargeable to the general county fund existing at the time the tax limitation amendment became effective and also such indebtedness incurred

CORRECTLY ENROLLED

James A. Hays

Chairman Senate Committee.

James L. Smith

Chairman House Committee.

10 subsequent thereto up to June thirtieth, one thousand nine
11 hundred thirty-three. Said loans to extend over a period of
12 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 provided herein.

Sec. 3. When the aforesaid funds have 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 of general circulation in his county that all outstanding
5 claims drawn on the general county funds, which are due and
6 unpaid, shall be presented to the county court for liquidation
7 and cancellation.

Sec. 4. All persons, firms or corporations holding any claims
2 drawn on the general county fund of their county, and which
3 are due and unpaid, shall present the same for payment and
4 cancellation to the said county court within thirty days of the
5 date of said notice, whereupon the said county court shall pro-
6 ceed to pay off and liquidate such claims by issuing drafts on

CORRECTLY ENROLLED

James L. Smith
James A. Rogers

Chairman Senate Committee.

Chairman House Committee.

Enrolled H. B. No. 163]

3

7 said liquidating fund of said county for the aggregate amount
8 of all claims held by such persons, firms or corporations, plus
9 interest that may have accrued thereon, and such cancelled
10 claims shall be filed by the county clerk: *Provided further,*
11 That no check, draft or order drawn on said fund, shall be paid
12 or honored by any bank or depository until the same has been
13 countersigned by the prosecuting attorney of said county.

Sec. 5. If any balance remains in said fund after the afore-
2 said thirty days have expired, then the said county court shall
3 deposit 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 said county court, after a period of five years
6 from the date of said loan, if it has sufficient funds on hand, may
7 pay off and discharge the whole amount of the money so bor-
8 rowed.

9 All acts and parts of acts inconsistent herewith are hereby
10 repealed.

CORRECTLY ENROLLED

James A. Smith
 Chairman Senate Committee.

Wm. S. O'Brien
 Speaker of the House of Delegates.

Geo. L. Haeg
 Clerk of the House of Delegates.

Ph. M. Matthews
 President of the Senate.

Samuel D. Wiley
 Clerk of the Senate.

James A. Smith
 Chairman House Committee.

The within is.....

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

.....
 Governor.

Filed in the office of the Secretary of State
 of West Virginia **JUN 7 1933**
 Wm. S. O'BRIEN,
 Secretary of State