

Rec., Feb. 15, 1934

8/18

ENROLLED BILL
(SECOND EXTRAORDINARY SESSION, 1933)

House Bill No. 18

(By Mr. Dyer)

Passed February 14th 1934

In Effect from Passage

Originated in the House of Delegates Takes effect Passage

Clerk of House of Delegates

CORRECTLY ENROLLED

Clerk

Kenan K. Hyn
Chairman Senate Committee

James L. Smith
Chairman House Committee

ENROLLED BILL

(H. B. No. 18)

[Passed February 14, 1934; in effect from passage.]

AN ACT to amend and reenact sections one and five, chapter sixteen, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, relating to forfeited and delinquent lands.

Be it enacted by the Legislature of West Virginia:

That sections one and five, chapter sixteen, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, be amended and reenacted so as to read as follows:

Section 1. That the owner of any land and real estate in this state, his heirs, devisees or assigns and any person holding a lien thereon, or having the right to charge the same with a debt, which land and real estate has been returned delinquent and/or forfeited for the nonpayment of taxes levied and assessed against

CORRECTLY ENROLLED

James L. Smith
Chairman House Committee.
H. B. No. 18
Chairman Senate Committee.

2

[Enrolled H. B. No. 18

6 the same, including forfeited land and real estate certified to
7 the commissioner of school lands of the respective counties on
8 which suits may or may not have been instituted or may still be
9 pending in which no sale and/or confirmation of sale has been
10 made, may redeem such land and real estate from such delin-
11 quency and/or forfeiture by the payment to the auditor of the
12 state of West Virginia of the taxes so levied and assessed to-
13 gether with all taxes which would have been levied and extended
14 on the land books against said real estate had there been no such
15 forfeiture, without interest or costs, if the same shall be paid
16 on or before June thirtieth, one thousand nine hundred thirty-
17-24 four. Such payment shall include all taxes assessed and in
25 arrears for any and all years prior to the year one thousand
26 nine hundred thirty-three, and prior to such redemption, and
27 any legal costs as now provided by statute that have accrued
28 by reason of the prosecution of any suit shall be paid by the
29 commissioner of school lands in the county in which the land
30 is situated, when approved and so ordered by the court by
31 order entered of record, from any funds in his hands, for
32 which said commissioner shall have credit in his settlement
33 of accounts, as such commissioner and commissioners of school

CORRECTLY ENROLLED

Anna D. Rogers

Chairman Senate Committee.

James L. Smith

Chairman House Committee.

Enrolled H. B. No. 18]

3

34 lands shall be allowed in their settlements such reasonable
35 sums as the court shall determine and allow for work done
36 and services rendered by them and their attorneys in relation
37 to the tracts, lots and parcels of land which have been here-
38 tofore certified to them and which have not before this act
39 becomes effective been disposed of, and such sums so allowed
40 may be, by order of the court, paid out of funds in the
41 hands of the commissioners or which shall come into their
42 hands: *Provided, however,* That where two or more claimants
43 have filed their petition as required by law asking to redeem the
44 same tract or tracts of land, said tract or tracts of land shall not
45 be certified to the auditor by the circuit clerk as provided in
46 section three of this act, nor be redeemed from the auditor as
47 provided in section one of this as amended, but the party de-
48 creed by the court to be entitled to redeem said land by paying
49 all costs accumulated as taxed by the clerk thereof, by reason of
50 the contest of title, together with the portion of the taxes as
51 above set forth unto the commissioner of school lands.

Sec. 5. It shall be the duty of the auditor of this state to re-
2 ceive payment of the taxes mentioned in the lists certified to him
3 by virtue of sections two and three of this act, and to account

CORRECTLY ENROLLED

James L. Smith
Henry A. Byrd

Chairman House Committee.

Chairman Senate Committee.

4 for and disburse the same as other taxes received by him, and
5 in the payment of such taxes as is mentioned in section one of
6 this act, as amended, he shall charge no fees, costs nor interest,
7 if redeemed on or before June thirteenth, one thousand nine hun-
8 dred thirty-four, after which date all such redemptions shall
9 be made as provided in section thirty, article ten, chapter
10 eleven of the code of West Virginia, one thousand nine hundred
11 thirty-one. The auditor shall make written reports every thirty
12 days to the assessor of each county in this state of all forfeited
13 lands redeemed, and upon the payment of such taxes to the
14 auditor as aforesaid he shall execute triplicate receipts, retain
15 and file one in his office and deliver two thereof, including the
16 original, to the party paying the same in the following form or
17 to the following effect :

1819....

19 Received of.....,

20dollars in full pay-

21 ment of all taxes assessed against.....acres of land

22 situate on.....indistrict, county of

23for the year(s)

24

CORRECTLY ENROLLED

James L. Smith

Chairman House Committee.

James D. Henry

Chairman Senate Committee.

Enrolled H. B. No. 18]

5

25 (here give the years for which delinquent and/or forfeited) in

26 the name of.....

27 which are the total taxes assessed against the same, which pay-

28 ment is made by virtue of chapter sixteen, acts of the first ex-

29 traordinary session, one thousand nine hundred thirty-three, as

30 amended by the second extraordinary session thereof.

31

.....

32

Auditor of West Virginia.

CORRECTLY ENROLLED

Henry R. Hyde
Chairman Senate Committee.

William Stiner
Speaker of the House of Delegates.

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

H. M. Mair
President of the Senate.

John P. Smith
Clerk of the Senate.

James L. Smith
Chairman House Committee.

The within is.....*approved*.....

this...*19th*...day of...*February*..., 1934.

H. B. Kemp
Governor

Filed in the office of the Secretary of State
of West Virginia. **FEB 19 1934**

Wm. S. O'BRIEN,
Secretary of State