Rec. Feb. 15, 1934 OLLEI (SECOND EXTRAORDINARY SESSION, 1933) House Bill No. 18 (By Mr. Dyen) Passed February 14 1934 In Effect From Passage

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## **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
2 state, his heirs, devisees or assigns and any person holding a
3 lien thereon, or having the right to charge the same with a debt,
4 which land and real estate has been returned delinquent and/or
5 forfeited for the nonpayment of taxes levied and assessed against

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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

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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

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Enrolled H. B. No. 18]

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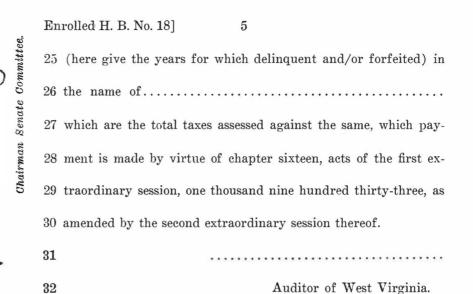
Chairman Senate Committee.

Chairman House 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 thirteith, 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:

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1819
19 Received of,
20dollars in full pay-
21 ment of all taxes assessed againstacres of land
22 situate onindistrict, county of
23for the year(s)
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Chairman House Committee.

6 [Enrolled H. B. No. 18 r Senate Committee. Speaker of the House of Delegates. Chairman Clerk of the House of Delegates. CORRECTLY ENROLLED President of the Senate. Clerk of the Senate. Chairman House The within is..... mar 1934. HS. Filed in the office of the Secretary of State Goverhou of West Virginia.\_\_ Wm. S. O'BRIEN, Secretary of State