

**ENROLLED BILL**  
(SECOND EXTRAORDINARY SESSION, 1933)

House Bill No. 263

(By Mr. Hiner)

Passed January 26, 1934

In Effect from Passage

Originated in the... House of Delegates... Takes effect... passage  
Clerk of the House of Delegates.  
Clerk.

CORRECTLY ENROLLED

Chairman House Committee.  
Chairman Senate Committee.

ENROLLED BILL

(H. B. No. 263)

[Passed January 26, 1934 ; in effect from passage.]

AN ACT to amend article one, chapter fifty-three of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto a new section to be numbered section twelve, relating to mandamus to compel political subdivisions to levy to satisfy judgments.

Be it enacted by the Legislature of West Virginia:

Section 1. That article one, chapter fifty-three of the code of West Virginia, one thousand nine hundred thirty-one, be amended by adding thereto section twelve, to read as follows:

ARTICLE I.

Section 12. Wherever a writ of mandamus, issued to enforce the laying of a levy to satisfy a judgment against a political subdivision of the state, would produce a disturbance in the administration of the financial affairs of the political subdivision

5 not necessary to the protection and enforcement of the right of  
 6 the creditor, the court may order that the levy be distributed  
 7 equally over a period of years not to exceed ten, and shall allow  
 8 the creditor, interest, not in excess of the legal rate, upon the  
 9 installments.

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

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

*Wm. S. O'Brien*  
 President of the Senate.

*James A. Smith*  
 Clerk of the Senate.

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

this...*30<sup>th</sup>*...day of...*January*..., 1934.

*H. S. Kemp*  
 Governor.

CORRECTLY ENROLLED

*Kenna K. Lynn*  
 Chairman Senate Committee.

*James A. Smith*  
 Chairman House Committee.

Filed in the office of the Secretary of State  
 of West Virginia. **JAN 31 1934**  
 Wm. S. O'Brien,  
 Secretary of State