

Rec., Mar. 11, 1933

513

# ENROLLED BILL

(REGULAR SESSION, 1933)

House Bill No. 513

(By Mr. Lester)

Passed March 14, 1933

In Effect from Passage

Originated in the..... Takes effect..... passage

*James L. ...*  
Clerk of the House of Delegates.

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*James L. ...*  
Chairman House Committee.

*James L. ...*  
Chairman Senate Committee.

## ENROLLED BILL

(H. B. No. 513)

[Passed March 11, 1933; in effect from passage.]

AN ACT creating and establishing the independent school district of Butler in the county of Wayne and State of West Virginia; establishing the boundaries of said independent district and providing for a board of education of said independent district and rules and regulations for the establishment and operation and maintenance of schools in said independent school district, amending and reenacting chapter one hundred eight of the acts of the legislature of West Virginia, one thousand nine hundred twenty-nine; amending and reenacting chapter ninety-eight of the acts of the legislature of West Virginia, one thousand nine hundred thirty-one, relating to the Butler district high school in the district of Butler in the county of Wayne and State of West Virginia.

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*A. Rogers*

*Chairman Senate Committee.*

*James L. Smith*

*Chairman House Committee.*

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

Section 1. That chapter one hundred eight of the acts of the  
2 legislature of West Virginia, one thousand nine hundred  
3 twenty-nine, be amended and reenacted; and reenacting chap-  
4 ter ninety-eight of the acts of one thousand nine hundred  
5 thirty-one, relating to the Butler district high school in the  
6 district of Butler in the county of Wayne and State of West  
7 Virginia.

Sec. 2. The magisterial district of Butler, Wayne county,  
2 shall constitute the independent district to be known as the  
3 "independent school district of Butler."

Sec. 3-(a). The board of education of the independent school  
2 district of Butler shall be composed of two commissioners and  
3 a president of the board whose terms of office shall be six  
4 years. The board of education of Butler district as now con-  
5 stituted shall be and remain the board of education of the in-  
6 dependent school district of Butler until July first, one thou-  
7 sand nine hundred thirty-three, when the member elected No-  
8 vember eight, one thousand nine hundred thirty-three shall be a  
9 member thereof. There shall be elected by the voters  
10 of said independent district at a special election on the

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11 second Tuesday in May, one thousand nine hundred thirty-  
12 five, in the manner prescribed by the general school law,  
13 for the election of school officers, one commissioner who  
14 shall serve for a term of six years and a president who  
14-a shall serve for a term of four years, and on the sec-  
14-b ond Tuesday in May, one thousand nine hundred thirty-seven,  
15 at a similar special election, one commissioner shall be elected  
16 for a term of six years, the ballot designating the term of  
17 service of each member which term shall begin on the first  
18 day of July following their election. There shall be elected  
19 by the voters of said independent district at said special  
20 election on the second Tuesday in May, one thousand nine  
21 hundred thirty-seven, in the manner prescribed by the general  
22 school law for the election of school officers, a commissioner,  
23 whose term shall expire on July first, one thousand nine hun-  
24 dred forty-one, which term shall begin on the first day of July  
25 following the election. Regularly every two years thereafter,  
26 on the second Tuesday in May, there shall be elected one com-  
27 missioner or president, as the case may be, whose term of office  
28 shall commence on the first of July following their election  
29 and continue for six years until his successor is elected and

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Chairman Senate Committee.

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30 qualified: *Provided, however,* That should a vacancy occur  
31 in the office of commissioner or president of said independent  
32 board of education by death, resignation or otherwise, the  
33 vacancy shall be filled by appointment by the state superin-  
34 tendent of free schools until the next school election in said  
35 district at which election the vacancy shall be filled by the  
36 voters of said independent district for the unexpired term.

37 The state superintendent shall appoint a qualified person of  
38 the political party in which the vacancy occurred;

39 (b) The election precincts designated by the county court  
40 for general elections in the independent school district of  
41 Butler shall constitute the school election precincts of said  
42 independent district: *Provided,* That the county court shall  
43 have sole jurisdiction and authority in designating school elec-  
44 tion precincts in said independent school district. The board  
45 of education of said independent school district shall have  
46 final and complete authority and jurisdiction in furnishing  
47 a registration of voters, in the appointment of commissioners of  
48 election and poll clerks, in the appointment of registrars and  
49 ballot commissioners, in canvassing and certifying the election  
50 returns, in hearing and determining contested elections, in

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*James D. Hyman*

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*James L. Smith*

*Chairman House Committee.*

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51 ascertaining and declaring the results of elections, in the  
52 furnishing and delivery of election supplies and all other mat-  
53 ters of any kind pertaining to the conducting of school elec-  
54 tions, except the said school elections shall be conducted in a  
55 manner consistent with the general provisions of law and in  
56 accordance with the general election law of West Virginia  
57 so far as the same in either case may be applicable or prac-  
58 ticable;

59 (c) The board of education of said independent district  
60 shall convene in regular session on the first Tuesday in April  
61 preceding the regular school election to be held in said dis-  
62 trict for the purpose of hearing any and all matters as to the  
63 registration of voters, and said board of education, when so  
64 sitting, shall adopt, as official registration of voters for the  
65 ensuing regular school election, a list of voters certified and  
66 furnished by the clerk of the county court of Wayne county of  
67 the registration of the voters of the respective precincts of the  
68 said independent district as adopted by the county court for  
69 the last preceding general election held in the aforesaid three  
70 precincts of said independent school district. And said board  
71 of education while so sitting shall amend, correct and complete

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*James A. Byrnes*  
*Chairman Senate Committee.*

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72 the aforesaid certified registration of voters as furnished by  
73 the clerk of the county court in accordance with and under  
74 the general laws of the state of West Virginia. And at the  
75 time of such sitting of said independent board of education,  
76 the aforesaid books of registration shall be open for public  
77 inspection and they shall register in the manner provided by  
78 law, all qualified voters who have not therefore been registered  
79 and complete and finish the registration of voters, and at the  
80 regular meeting on the first Tuesday in April as aforesaid, the  
81 board of education of said independent district shall pass and  
82 cause to be spread upon the minutes, a resolution calling and  
83 ordering the regular school election and containing the many  
84 items of information pertaining to the purpose of holding  
85 the school election and the terms of office to be filled, the time  
86 and place of holding the election, the time and method of mak-  
87 ing nominations, the time of the final sitting of the board to  
88 complete and certify the registration of voters and such other  
89 items as the board may deem necessary and practical; said  
90 proclamation shall be posted on the front door of the high  
91 school building and at each voting precinct, at least three  
92 weeks previous to the day of the ensuing regular school elec-

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*James A. Higgins*

*James L. Smith*

*Chairman Senate Committee.*

*Chairman House Committee.*

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93 tion, and the same shall be published in two newspapers of  
94 general circulation in Wayne county for at least two consecu-  
95 tive weeks previous to the date of said election, the last pub-  
96 lication to be completed at least one week before the date of the  
97 election. At this meeting said board of education shall ap-  
98 point ballot commissioners, commissioners of election, poll  
99 clerks and all other officers necessary for conducting the en-  
100 suing regular school election: *Provided*, That the ballot com-  
101 missioners who shall be two in number, shall be one each from  
102 the dominant political parties in said independent district,  
103 who shall receive for their services as such ballot commissioner,  
104 a fee of five dollars each: *Provided further*, That there shall  
105 be appointed five election officers at each election precinct;  
106 three of whom shall be designated and serve as commissioners  
107 of election and two as poll clerks of said election. The politi-  
108 cal party which has the majority of the members of said in-  
109 dependent board of education shall have the right of the ma-  
110 jority of the election officers of such election board and said  
111 board of education shall designate not more than two commis-  
112 sioners and one clerk for each election board in each precinct  
113 from the dominant political party and one commissioner and



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*Wm. A. Hays*  
*Chairman Senate Committee.*

114 and one clerk from the political party having the minority  
115 member of the board of education; and in the event that the  
116 members of said board of education, are all members of one  
117 political party, the minority representation on said election  
118 board shall be qualified voters of the party which cast the  
119 next highest number of votes in said independent district at  
120 the last preceding general election. The ballot commissioners  
121 and election officers herein provided for shall have the qualifi-  
122 cations of registered voters in said independent school district,  
123 and shall be definitely recognized as members of some political  
124 party. The compensation of election officers is fixed at the  
125 sum of three dollars. The secretary of the board of education  
126 hereinafter provided for shall serve as a member of the board  
127 of ballot commissioners and shall be chairman of said board  
128 of ballot commissioners. The said board of ballot commis-  
129 sioners shall prepare the form and arrangement of ballot and  
130 provide printed ballots for said ensuing regular school elec-  
131 tions.

132 The board of ballot commissioners shall cause the ballots  
133 which are to be used in the ensuing regular school election to  
134 be published twice in two newspapers in Wayne county of op-

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*James L. Smith*  
*Anna D. Hyatt*

*Chairman Senate Committee.*

*Chairman House Committee.*

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135 posite politics, the second publication being the week before  
136 the day of said school election. The board of education of said  
137 independent school district shall publish twice in two news-  
138 papers of general circulation and of opposite politics in Wayne  
139 county a certified list of the election officers of said ensuing  
140 school election, the last publication being the week immedi-  
141-150 ately preceding the holding of said election.

151 The board of education of said independent schol district  
152 shall convene in regular or special session from nine o'clock  
153 a. m. until five o'clock p. m. on the Tuesday next preceding  
154 and any every regular school election held in said district for  
155 the purpose of further amending, correcting, completing and  
156 certifying the aforesaid registrations of the qualified voters  
157 for the ensuing regular school election and if at said meeting  
158 the said board of education is satisfied that persons have been  
159 registered who are not entitled to vote, shall on notice to said  
160 persons and in the manner provided by law, cause their names  
161 to be stricken from the aforesaid list of qualified voters; but  
162 no voter shall be entitled to register, except upon a certificate  
163 of transfer after the adjournment of the board; and the said  
164 board of education shall upon the arrival of five o'clock p. m.

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165 certify the aforesaid register lists as the official registration  
166 of voters for the ensuing regular school election and then ad-  
167 journ. No person shall be allowed to vote at any regular  
168 school election in said independent school district who is not  
169 at the time of the election an actual bona fide resident of the  
170 election precinct in which he offers to vote and has been reg-  
171 istered as a voter for such election as required by law.

172 All the sittings of said board of education detailed above  
173 shall take place at the official office of said board of educa-  
174 tion in the high school building in said independent school dis-  
175 trict. The board of education of said independent district  
176 shall convene as a canvassing board at the regular time and  
177 meeting place on the fifth day (Sunday excepted) after each  
178 regular school election held in said district. The canvassing  
179 board shall have the sole authority and jurisdiction in ascer-  
180 taining, declaring, recording and certifying the result of any  
181 and every regular school election in said independent school  
182 district. An appeal as provided by law from the decision of  
183 said board to the circuit court of Wayne county is herein  
184 provided for. Said board of canvassers shall certify the re-  
185 sults of said election to the clerk of the county court of Wayne

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Hiram D. Hyman  
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186 county, who shall record the same in the well bound book  
187 kept in his office for that purpose. The board of canvassers  
188 shall issue and deliver to each candidate voted on in said elec-  
189 tion, a certificate showing the total vote cast in said election  
190 for each office.

Sec. 4. Before entering upon their duties as members of the  
2 board of education of independent school district of Butler,  
3 each of the commissioners and the president shall be required to  
4 qualify by taking and subscribing to the following oath: "I,  
5 A. . . . ., B. . . . ., do solemnly swear (or affirm),  
6 that I will faithfully perform the duties of commissioner (or  
7 president) of the board of education of the independent school  
8 district of Butler, during the term for which I was elected (or  
9 appointed), to the best of my ability, according to law, so help  
10 me God."

11 The secretary of the board of education, or any notary public  
12 of the county of Wayne, is authorized to administer said oath,  
13 a copy of which shall be kept by him upon the files of his office.  
14 Nominations for the office of the commissioner and president of  
15 said board of education shall be made by party conventions by  
16 the two opposing political parties which at the last preceding

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17 general election held in November at the voting places in the  
18 several precincts in said independent school district cast the  
19 highest and next highest number of votes and shall be filed and  
20 duly certified with the secretary of the board of education at  
21 least twenty days prior to said regular school election. Said  
22 conventions shall be held in said independent school district on  
23 the second Tuesday in April at the hour of one o'clock p. m. at  
24 such place or places as may be designated by the board of edu-  
25 cation of said district. The call for said conventions shall be  
26 made by said board of education at least thirty days prior to  
27 the day of holding said conventions, which call shall be pub-  
28 lished in two newspapers of opposite politics of general circula-  
29 tion in said district at least two weeks prior to the day of hold-  
30 ing said conventions. The temporary chairman of said  
31 conventions shall be named by the board of education in the  
32 proclamation calling for the holding of said conventions who  
33 shall be members of the political party holding the said con-  
34 vention. Said convention shall be called to order by the tempo-  
34-a rary chairman so designated and shall be conducted and held  
35 in accordance with rules and regulation adopted by said board  
36 of education and the laws of the State of West Virginia. The

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*James L. Smith*  
*James A. Hyman*

*Chairman Senate Committee.*

*Chairman House Committee.*

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37 certificate of nomination for the office of school commissioner  
38 and president of the board as aforesaid shall designate the  
39 term of office of each person nominated and shall be signed by  
40 the chairman and secretary of said convention and authenti-  
41 cated by the official signature of a notary public. This certifi-  
42 cate shall be executed in triplicate and one copy shall be filed  
43 with the clerk of the county court of Wayne county and re-  
44 corded by him in the records of primaries and elections in the  
45 well-bound book kept in his office for that purpose. One copy  
46 shall be delivered in the manner specified above to the secretary  
47 of the board of education.

Sec. 5. The board of education of said district shall meet  
2 annually on the first Monday in July at their regular meeting  
3 place and shall elect a secretary who shall serve during will  
4 and pleasure of the board. Before entering upon the duties  
5 of his office the secretary shall take the oath as prescribed by  
6 law.

Sec. 6. The secretary shall record in a book, provided for  
2 that purpose, all the official acts and proceedings of the board  
3 which shall be a public record, open to the inspection of all  
4 persons interested therein. He shall preserve in his office at

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*James L. Smith*  
*James L. Smith*  
*Henry A. Rogers*

*Chairman House Committee.*

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5 the junior high school building, all papers containing evidence  
6 of title, contracts and obligations; and in general shall record  
7 and keep on file in his office all such papers and documents as  
8 may be required by any of the provisions of this act or by any  
9 order of the board of education. He may be removed by the  
10 board of education of the independent school district of Butler  
11 at any regular or special meeting. Any vacancy in this office  
12 shall be filled by the board for the unexpired term. All levies  
13 for any purpose shall be levied in accordance with the general  
14 school law. The rate of school levy in said district may include  
15 the total amount available after the specific levy for county and  
16 state purposes as provided by law has been allowed. When the  
17 board of education has laid the levies it shall be the duty of  
18 the secretary to report the matter thereof to the county super-  
19 intendent and other county and state officials, such facts in his  
20 possession as may be required by the general school law of the  
21 state. For his service, he may receive such compensation as  
22 provided by the general school law of the state. In his absence  
23 the board may appoint a secretary pro tempore.

Sec. 7. The president of the board of education shall per-  
2 form such duties as usually devolve upon the presiding officer

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*Anna A. Higgins*

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3 of such a deliberate body, except that he shall have a vote upon  
4 each and every question as any other commissioner, but he shall  
5 have but one vote only upon one question. In his absence,  
6 the board may choose a president pro tempore from among  
7 their number. He shall perform all the duties prescribed by  
8 law for a president of the board of education of magisterial  
9 school district.

Sec. 8. The board of education of the independent school  
2 district of Butler shall hold stated meetings at such times and  
3 places as they may appoint, not less than a majority of the  
4 members being required to constitute a quorum for the trans-  
5 action of business. Special meetings may be called by the  
6 president, or at the request of any two members by the secre-  
7 tary. No business may be transacted at a special meeting, ex-  
8 cept that mentioned in the call for such meeting; which call  
9 shall be in writing and shall be recorded by the secretary in the  
10 record of proceedings of said meeting: *Provided*, That all the  
11 members shall have had notice of the place and purpose of any  
12 special meeting called by the president or secretary herein pro-  
13 vided: *Provided further*, That a concurrence of two members  
14 of said board of education shall be required to elect teachers



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*James L. Smith*  
*Wm. D. Hyatt*

*Chairman House Committee.*

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15 and to decide all questions involving the expenditures of money.

Sec. 9. The board of education of the independent school  
2 district of Butler shall be a body corporate in law; and as such  
3 may purchase, hold, sell or convey real or personal property  
4 for the purpose of education within the district; may be a  
5 party to suits and contracts and do other common corporate  
6 acts. They shall have the management of, and be vested with  
7 the title to, all real and personal property, for the use of public  
8 schools within the district and shall manage and dispose of the  
9 same as in their opinion will best serve the interests of the  
10 district. The board of education shall have the power to make  
11 all necessary rules and regulations for the government of the  
12 schools of the district, for the admission of pupils therein, for  
13 the exclusion of pupils whose attendance would be dangerous  
14 to the health or detrimental to the morals or discipline of the  
15 schools. They may perform such other duties as are permitted  
16 by the general school law of the state, and not in violation of  
17 chapter one hundred eight of the legislature of one thousand  
18 nine hundred twenty-nine, and chapter ninety-eight of the  
19 acts of the legislature of one thousand nine hundred thirty-one.

Sec. 10. Annually, on or before April first, the board of

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*Anna D. Hyatt*

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*Chairman House Committee.*

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2 education shall cause to be taken an enumeration of all the  
3 youth of the district, noting age and color, according to the  
4 general school law. The secretary shall report to the county  
5 superintendent the result of said enumeration of youth, at  
6 such time as may be required by law.

Sec. 11. The state superintendent of schools in his report  
2 to the auditor, shall specify separately the result of the enumer-  
3 ation of youth in the independent school district of Butler and  
4 the rest of Wayne county, and the auditor, in apportioning  
5 money for school purposes, shall apportion to the independent  
6 school district of Butler and to the rest of Wayne county sep-  
7 arately, according to their respective numbers of youth, as shown  
8 by the list furnished by the state superintendent of schools,  
9 and the said superintendent shall draw his requisition upon the  
10 auditor in favor of the sheriff of Wayne county for such  
11 amount as the district is entitled to receive, and at the same  
12 time notify the secretary of the board of education of the  
13 amount.

Sec. 12. It shall be the duty of the said board of education  
2 to provide by purchase, condemnation, leasing, building, or  
3 otherwise, school houses and grounds, furniture, fixtures and

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James L. Smith

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James D. Hyatt

Chairman Senate Committee.

4 appendages, and keep the same in good order and repair; and  
5 to supply the said school houses with fuel and other things nec-  
6 essary for their comfort and convenience.

Sec. 13. It shall be the duty of the board of education of  
2 the independent school district of Butler, annually, at the same  
3 time and in the same manner that is now provided or that may  
4 hereafter be provided by the general school law of this state  
5 for the ascertaining and making of estimates and the fixing and  
6 laying of school levies by the boards of education of the various  
7 school districts within the state for the support of the free schools  
8 therein, to ascertain and to make such estimates of the amounts  
9 necessary for the support of the schools within the said inde-  
10 pendent school district and on the property located in the  
11 said independent district to determine, fix, and lay such levies  
12 for the support of the schools therein. It shall be the duty of  
13 the board of education of the said independent school district  
14 of Butler, annually, at such meeting, to levy as many cents on  
15 each one hundred dollars' valuation of the taxable property  
16 of the said independent school district, according to the last as-  
17 sessment thereof, as will produce the amounts shown by the esti-  
18 mate of said board to be necessary to be levied for the mainte-

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*James L. Smith*  
*Thomas A. Rogers*

*Chairman Senate Committee.*

*Chairman House Committee.*

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19 nance, building, and teachers' fund purposes; to levy in like  
20 manner the amounts necessary to continue the schools in session  
21 in the said independent school district for a minimum term of  
22 eight months in elementary school and nine months in the junior  
23 high schools; and to levy and provide sufficient funds for all  
24 purposes to keep said schools in session for the full minimum  
25 term of eight and nine months as herein provided. And the  
26 board of education of said independent district is hereby  
27 authorized and empowered to lay a levy in addition to the  
28 levies authorized by the general school law of the state, if the  
29 same shall be required, sufficient for all purposes to conduct  
30 the schools of the said independent school district for the full  
31 minimum term of eight months as aforesaid. For the purpose  
32 or purposes mentioned in this act and for the purpose of paying  
33 teachers and other school officers, the interest and sinking funds  
34 on bonds, and any other legal obligations which are now owed  
35 by the independent school district of Butler or may hereafter  
36 be incurred by it, the said board of education shall lay an-  
37 nually such levies in the manner that is now provided or that  
38 may hereafter be provided by the general school law of the  
39 state. Elections for bond issues shall likewise be conducted in

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*James D. Hyman*

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*James L. Smith*

*Chairman House Committee.*

40 accordance with the general school law.

Sec. 14. The levies made under the provisions of this act  
2 shall be collected and disbursed as now provided by law. The  
3 board of education shall not, during any one year, incur any  
4 expense that shall exceed the amount of available funds re-  
5 ceived for school purposes during that year.

Sec. 15. The sheriff shall annually at such time and in such  
2 manner as required by law make settlement with the board of  
3 education.

Sec. 16. The said board of education shall have power to  
2 establish within the district, such graded schools, including  
3 junior high schools, of such grade, as may, in their judgment,  
4 be best for the interests of the district. The branches and text-  
5 books to be taught in the schools within the district shall be the  
6 state-adopted texts. The said junior high schools shall be open  
7 to all pupils in the district, but no pupil shall be entitled to  
8 admittance to said junior high schools until the principal shall  
9 have been satisfied that the pupil shall have made due pro-  
10 ficiency in the branches taught in the other schools of the dis-  
11 trict.

Sec. 17. Teachers shall be subject, in all respects, to the

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2 rules and regulations adopted by the board of education, and  
3 they may be removed by the board for incompetency, immoral  
4 conduct, or willful violation of the rules of the board, upon  
5 complaint of any member of the board.

Sec. 18. The board of education shall in accordance with the  
2 general school law, appoint all teachers for the public schools  
3 of any grade or junior high school within the district and fix  
4 their salaries: *Provided*, That in no case shall the salaries of  
5 teachers and principals be below the minimum salary set by  
6 this state: *Provided further*, That no person shall be employed  
7 to teach in any public school of the district who shall not first  
8 have obtained from the state authorities a certificate of quali-  
9 fications to teach a school of the grade for which the appoint-  
10 ment is made.

Sec. 19. The salary of the commissioners and president of  
2 the independent school district board shall be regulated and  
3 fixed by the general school law of the State of West Virginia.

Sec. 20. All school houses, school house sites and all other  
2 property of whatever description of the board of education of  
3 the magisterial school district of Butler shall by the passage  
4 of this act and its enactment into law, become the property of

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James L. Smith  
D. Hyman

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5 the independent school district of Butler and all departments  
6 of the board of education of the magisterial school district of  
7 Butler, of whatsoever description, including bond issues of said  
8 magisterial school district of Butler, shall be assumed by and  
9 are hereby made the obligations of the independent school dis-  
10 trict of Butler. All contracts between the board of education  
11 of Butler magisterial school districts employing teachers for  
12 the school year one thousand nine hundred thirty-three and one  
13 thousand nine hundred thirty-four are hereby transferred, set  
14 over and perpetuated as legal contracts of the board of educa-  
15 tion of the independent school district of Butler.

Sec. 21. All provisions of the general school law of the state  
2 and all laws and acts and parts of acts heretofore existing which  
3 are in any manner inconsistent with the provisions of this act  
4 are hereby repealed and shall be void within the said inde-  
5 pendent school district; otherwise the said general school law  
6 shall remain in full force and effect in said independent school  
7 district as elsewhere in the state. If any section or part of any  
8 section of this act shall be declared unconstitutional it shall not  
9 affect the other sections of this act.

Sec. 22. This act shall not become a law or be in full force

CORRECTLY ENROLLED

*James A. Hays*

*James A. Smith*

*Chairman Senate Committee.*

*Chairman House Committee.*

Enrolled H. B. No. 513]

23

2 and effect until the qualified voters residing in Butler school  
3 magisterial district by a majority of the votes cast at a special  
4 election to be held on the twenty-third day of May, one thou-  
5 sand nine hundred thirty-three, declare in favor thereof. On  
6 the said twenty-third day of May, one thousand nine hundred  
7 thirty-three, it shall be the duty of the board of education of  
8 Butler school magisterial district, to submit to the legal voters  
9 of Butler school magisterial district, the question of the adop-  
10 tion or rejection of the provisions of this act. It shall be the  
11 duties of the board of education of Butler school magisterial  
12 district to meet in special or regular session on the fourth  
13 Tuesday in April, one thousand nine hundred thirty-three, for  
14 the purpose of calling said special election. Notices thereof  
15 shall be published once a week for two successive weeks in two  
16 newspapers of opposite politics of general circulation in said  
17 district, the last notice being published at least one week pre-  
18 ceding the day of said special election. It shall be the duties  
19 of the board of education of Butler school magisterial district  
20 to secure the registration of voters properly certified by the  
21 county clerk, taken for the last general election held in Novem-  
22 ber last, and the same shall be accepted as proper registration





CORRECTLY ENROLLED

*James D. Higgins*

*James L. Smith*

*Chairman Senate Committee.*

*Chairman House Committee.*

Enrolled H. B. No. 513] 25

44 and shall be such sum or sums as fixed by the general election  
45 law of the state. The ballot to be voted in said election shall  
46 be on plain, white paper and in the following form:

47 School District Election.

47-a (Indicate how you desire to vote by cross in square)

48 ☐ For independent school district.

49 ☐ Against independent school district.

50 If a majority of votes cast at said election be for independent  
51 school district, then this act shall be binding and in full force  
52 as of June first, one thousand nine hundred thirty-three, other-  
53 wise this act shall be void.

54 The district school board shall meet on the fifth day (Sunday  
55 excepted) after said special election as a board of canvassers,  
56 to canvass, ascertain and declare the result of said special elec-  
57 tion. Any contest or appeal from the board of canvassers shall  
58 be to the circuit court of Wayne county.

Sec 23. That the county superintendent of Wayne county  
2 shall exercise the powers, duties and authority in said inde-  
3 pendent district as provided by chapter eighteen of the code  
4 of West Virginia, one thousand nine hundred thirty-one.

CORRECTLY ENROLLED

*James L. Smith*  
Chairman Senate Committee.

*Dr. E. M. Shiner*  
Speaker of the House of Delegates.

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

*W. G. M. [unclear]*  
President of the Senate.

*David P. [unclear]*  
Clerk of the Senate.

The within is.....

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

.....  
Governor.

Filed in the office of the Secretary of State  
of West Virginia. **MAR 18 1933**

Wm. S. O'BRIEN,  
Secretary of State