

Rec., Mar. 11, 1933

517

ENROLLED BILL

(REGULAR SESSION, 1933)

House Bill No. 517

(By Mr. Peters)

Passed March 10, 1933

In Effect from Passage

Originated in the House
Takes effect from
Passage
Clerk of the House of Delegates.
Clerk.
CORRECTLY ENROLLED

Chairman House Committee.
Chairman Senate Committee.

ENROLLED BILL

(H. B. No. 517)

[Passed March 10, 1933; in effect from passage.]

AN ACT creating the independent school district of the city of
Bluefield in the county of Mercer and state of West Virginia.
Be it enacted by the Legislature of West Virginia:

Section 1. That in the event a majority of the votes cast at
2 an election to be held on the second Tuesday in April, one thou-
3 sand nine hundred thirty-three, be in favor thereof, the follow-
4 ing described territory in the county of Mercer and the district
5 of Beaver Pond, shall, after the results of such election are
6 ascertained and declared, be the independent district of Blue-
7 field, to-wit: The territory contained within the corporate
8 limits of the magisterial district of Beaver Pond, as the same
9 are on the first day of April, one thousand nine hundred thirty-
10 three.

Sec. 2. The board of education of said independent district
2 shall consist of a president and two commissioners, who shall be
3 elected by the qualified voters of said independent district, at

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4 the general elections, for a term of six years or until their suc-
5 cessors have been elected and qualified, and shall have all the
6 powers and perform all the duties, and be governed by all the
7 laws as boards of education elsewhere in the county, outside of
8 independent districts, except insofar as changed by the provi-
9 sions of this act; and in the event of the establishment of the
10 independent district of Bluefield, the two members elected re-
11 spectively at the general elections, held in the years one thousand
12 nine hundred thirty and one thousand nine hundred thirty-two,
13 who at that time reside in the city of Bluefield, shall be members
14 of the board of education of the independent district of Blue-
15 field until the expiration of terms for which they were elected.
16 The third member, who resides in the rural section of said
17 Beaver Pond district, shall serve in office until his successor is
18 duly elected at the next general election to be held in the year
19 one thousand nine hundred thirty-four, and qualified. At the
20 next general election after this act goes into effect one member
21 shall be elected for four years; and a president for six years,
22 and each two years thereafter the one candidate who receives
23 the highest number of votes shall be declared elected.

Sec. 3. The board of education of the said independent dis-

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2 trict shall be a corporation by the name of, "The Board of Edu-
3 cation of the Independent District of Bluefield," and as such
4 may sue and be sued, plead and be impleaded, contract and be
5 contracted with, and exercise all powers and duties as other
6 district boards of education operating under the general school
7 law.

Sec. 4. The board of education of said independent district
2 shall hold its regular meeting in each year on the first Monday
3 in July, the first and third Tuesdays in August, and, when the
4 schools are in session, on any regular day agreed upon by the
5 board, all meetings to be held at a place to be designated by
6 the board at its first meeting held on the first Monday in July.
7 Upon the call of the president or of two school commissioners,
8 the board of education may hold other meetings, but no business
9 shall be transacted at any called meeting except such as may
10 be designated in the call therefor of which all the members have
11 had notice.

12 A majority of the members of the board of education of said
13 independent district shall constitute a quorum and such board
14 cannot transact any official business except when assembled as a
15 board.

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Sec. 5. All moneys whether belonging to the teachers' or
2 building funds of the district of Beaver Pond, Mercer county,
3 which may be unexpended or overdrawn when the provisions of
4 this act take effect, shall become the property of the said in-
5 dependent district.

Sec. 6. The payment of all outstanding bonds of the board of
2 education of Beaver Pond district in the county of Mercer,
3 issued for building purposes, as well as the interest on such
4 bonds, shall be obligatory upon and assumed by the said board
5 of education of the independent district of Bluefield.

Sec. 7. All the provisions of the general school law of the
2 state, and all the acts heretofore existing, which are in any
3 manner inconsistent with the provisions of this act, shall be void
4 within the said independent district; otherwise the general
5 school law shall remain in full force and effect in the said inde-
6 pendent district, as elsewhere in the state.

Sec. 8. The special election to be held as provided in section
2 one of this act, shall be held under the supervision of the board
3 of education of the district of Beaver Pond, in the county of
4 Mercer. The said board of education shall prepare or cause to
5 be prepared, a notice, stating that the question of ratifying the

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6 act of the legislature of the state of West Virginia, creating the
7 independent district of Bluefield, in the county of Mercer, out
8 of the territory embraced in the district of Beaver Pond in the
9 said county, will be submitted to the voters of said Beaver Pond
10 district, at a special election to be held on the second Tuesday
11 of April, one thousand nine hundred thirty-three, at not less
12 than ten voting places in said district (to be specified in said
13 notice), which notice shall be signed by the president and secre-
14 tary of said board and shall be posted ten days before said
15 election at each of the voting places designated by said board
16 for the purpose of said election. Said notice shall be published
17 once a week for two weeks prior to said election, in two news-
18 papers of opposite politics in Mercer county. The board of
19 education of Beaver Pond district shall designate the voting
20 places for said election, appoint commissioners and poll clerks
21 to conduct the same, ascertain the results thereof and pay the
22 expenses thereof out of the building fund of the said district.

23 The ballot to be voted at the said election shall be on plain,
24 white paper and in the following form:

25 SCHOOL DISTRICT ELECTION

26 (Indicate how you desire to vote by a cross in the square)

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27 ☐ For ratification of "the independent district of Blue-
28 field."

29 ☐ Against ratification of "the independent district of
30 Bluefield."

31 If the majority of the votes cast be for ratification then this
32 act shall be in force on and after the first day of July, one thou-
33 sand nine hundred thirty-three, otherwise this act is void.

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Anna O. H. not
Chairman Senate Committee.

John S. Hall
Clerk of the House of Delegates.

Wm. M. Shriver
Speaker of the House of Delegates.

Wm. M. Shriver
President of the Senate.

Paul D. Smith
Clerk of the Senate.

James L. Smith
Chairman House Committee.

The within is.....

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

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Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 18 1933**
Wm. S. O'BRIEN,
Secretary of State