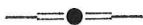


WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1935



ENROLLED

HOUSE BILL No. 23

(By Mr. Scammell)



PASSED Feb 8TH 1935

In Effect from Passage

ENROLLED

House Bill No. 23
(BY MR. SIMMONS)

[Passed February 8, 1935; in effect from passage.]

AN ACT to amend and reenact section six, chapter eighty-two, acts of the legislature of West Virginia, one thousand nine hundred eleven; and section seven, chapter eighty-two, acts of the legislature of West Virginia, one thousand nine hundred eleven, as amended and reenacted by chapter sixteen, acts of the legislature of West Virginia, one thousand nine hundred twenty-one, and as amended and reenacted by chapter seventy-six, acts of the legislature of West Virginia, one thousand nine hundred twenty-three, and as amended and reenacted by chapter seventy-nine, acts of the legislature of West Virginia, one thousand nine hundred thirty-one, relating to the charter of the city of Moundsville, in the county of Marshall; changing the time for holding elections in said municipality, and changing the date of the

beginning and expiration of the terms of office of all elective city officials.

Be it enacted by the Legislature of West Virginia:

That section six, chapter eighty-two, acts of the Legislature of West Virginia, one thousand nine hundred eleven; and section seven, chapter eighty-two, acts of the Legislature of West Virginia, one thousand nine hundred eleven, as amended and reenacted by chapter sixteen, acts of the Legislature of West Virginia, one thousand nine hundred twenty-one, and as amended and reenacted by chapter seventy-six, acts of the Legislature of West Virginia, one thousand nine hundred twenty-three, and as amended and reenacted by chapter seventy-nine, acts of the Legislature of West Virginia, one thousand nine hundred thirty-one, relating to the charter of the city of Moundsville, in the county of Marshall; changing the time for holding elections in said municipality, and changing the date of the beginning and expiration of the terms of office of all elective officials, be amended and reenacted to read as follows:

Section 6. The first election held hereunder shall be on the 2 first Tuesday in June, in the year one thousand nine hundred 3 thirty-five, and biennially thereafter. Every person who has

4 been a bona fide resident of the city for sixty days next pre-
5 ceding any election, and who is otherwise a qualified voter
6 under the constitution and laws of the state, shall be entitled
7 to vote at such election, in the ward in which he resides. The
8 election, including the nominations for office, either by con-
9 vention or primary or otherwise, shall be held, conducted and
10 the results thereof be ascertained, returned and determined
11 under such rules and regulations as may be prescribed by the
12 council, which shall not be inconsistent with the general laws
13 of the state governing municipal elections, and shall conform
14 as nearly as practical to such laws. Contested elections shall
15 be heard and decided by council, and the proceedings therein
16 shall conform as nearly as may be to similar proceedings in the
17 case of county and district officers. The council shall be the
18 judge of the election, return and qualification of its own mem-
19 bers. In case two or more persons receive an equal number of
20 votes for the same office, if such number be the highest cast for
21 such office, the city council shall decide by vote which of them
22 shall be returned elected, and shall make their return accord-
23 ingly.

Sec. 7. The terms of office of the mayor, city clerk, chief

2 of police and city solicitor shall begin on the first day of July
3 next succeeding their election and shall be for the term of two
4 years, and until their successor shall have been elected and quali-
5 fied. The treasurer, health officer, street commissioner, city
6 engineer and sewer inspector shall be appointed by the coun-
7 cil, and shall hold their offices during the pleasure of the coun-
8 cil. Any former incumbent shall be ineligible for a second ap-
9 pointment unless he shall have fully settled up the business of
10 his former term or terms. At the first election held after this
11 act goes into effect, there shall be elected a mayor, city clerk,
12 chief of police and solicitor, whose terms of office shall begin
13 on the first day of July next succeeding their election and shall
14 be for the term of two years, or until a successor is elected and
15 qualified; and one councilman from each ward, whose term of
16 office shall begin on the first day of July next succeeding said
17 election, and shall be for the term of four years and until his
18 successor is elected and qualified.

19 The council of said city shall have the right to fix a compensa-
20 tion for the members thereof, which compensation, however,
21 shall not exceed one hundred and fifty dollars per year to each
22 member.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Clinton M. Newbold
 Chairman Senate Committee

Arnold M. Pickens
 Chairman House Committee

Originated in the *House*

Takes effect *from* passage.

David M. ...
 Clerk of the Senate

Leo A. ...
 Clerk of the House of Delegates

Chas. E. Hooley
 President of the Senate

John S. ...
 Speaker House of Delegates.

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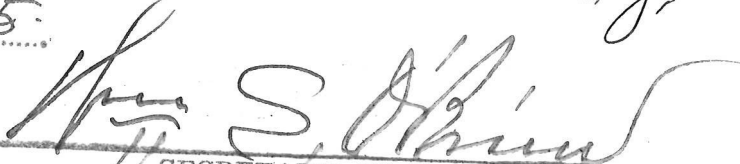
day of....., 1935.

.....
 Governor.

Filed in the office of the Secretary of State
 of West Virginia. **FEB 20 1935**
 Wm. S. O'BRIEN,
 Secretary of State

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the 20th day of February,
1935.



SECRETARY OF STATE