

Rec 20th

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1935



ENROLLED

HOUSE BILL No. 276

(By Mr. Gaylord)



PASSED Feb 18th 1935

In Effect from Passage

276

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House Bill No. 276
(BY MR. GAYLORD)

[Passed February 18, 1935; in effect from passage.]

AN ACT to amend and reenact section eight, chapter six, acts of the
Legislature of West Virginia, regular session, one thousand
nine hundred twenty-one, relating to the city of Clarksburg,
in the county of Harrison.

Be it enacted by the Legislature of West Virginia:

That section eight, chapter six of the acts of the Legislature,
regular session, one thousand nine hundred twenty-one, and known
as the charter of the city of Clarksburg, is hereby amended and
reenacted to read as follows:

Section 8. The candidates to be voted for at all general
2 municipal elections shall be nominated by primary elections.

3 The candidates to be voted for at the municipal election to be
4 held on the third Tuesday in April, one thousand nine hundred

5 thirty-five, shall be nominated at a primary to be held on the
6 first Tuesday in April, preceding the day fixed for the regular
7 election.

8 The city council shall cause a registration of the qualified
9 voters of each ward to be made, as provided by ordinance now
10 in effect, or hereafter adopted, and such registration shall be
11 made and elections shall be held, conducted and the result there-
12 of ascertained and declared in all respects as is or shall be
13 provided by state laws for the registering of voters and the
14 holding and conducting of primary elections throughout the
15 state for nominating candidates for state and county offices;
16 and the duties by the state laws imposed upon the county court
17 and the clerk thereof, in respect to general primary elections
18 shall be discharged by the city council and the city clerk,
19 respectively.

20 Regular municipal elections shall be held and conducted in
21 all respects as provided by law for conducting general elections
22 in the state of West Virginia; except that the names of candi-
23 dates nominated for office need not be published. The city
24 council shall perform all of the duties in regard to the election
25 which are imposed upon a county court in conducting a general

26 election in the state, and the city clerk shall perform all of the
27 duties which are imposed upon the clerk of the county court;
28 the city executive committee of each political party, and its
29 chairman shall perform all of the duties that the county execu-
30 tive committee and its chairman perform in the county, and the
31 city council in selecting officers to conduct the election and in
32 choosing ballot commissioners shall be bound by all of the laws
33 obligating a county court to select commissioners and clerks
34 which may be designated by a party executive committee or by
35 the chairman thereof.

36 The ballots shall be received, cast, counted, tabulated, and
37 returns made and canvassed in all respects as provided by law
38 for conducting general elections in the state of West Virginia,
39 except that the duties devolving upon the county court and the
40 clerk thereof under the general laws for conducting elections
41 in the state shall be discharged by the city council and the city
42 clerk.

43 The places for holding the elections shall be selected and pro-
44 vided by the city council, and the officers selected to conduct
45 the same shall receive the same compensation that is paid to
46 like officials selected to conduct general elections in the state.

47 The costs and expenses incurred in registering the voters and in
48 conducting and holding the primary and general elections shall
49 be paid one-half part thereof by the city, out of its general fund,
50 and one-half part thereof by the water board, out of its revenues.

51 A receiving board and a returning board of officials to conduct
52 the election may be appointed at any or all voting precincts
53 when in the judgment of the city council a double election board
54 is necessary to facilitate the holding of the election and counting
55 of the ballots. The city council may establish one or more voting
56 precincts in any ward and may fix the boundaries of such pre-
57 cincts.


58 Each resident of the city of Clarksburg, who is a citizen of the
59 United States, and who has resided in the state of West Virginia
60 for at least one year, and in the city of Clarksburg for at least
61 six months, and who is a bona fide resident of the ward and
62 election precinct in which he offers to vote, and who is not other-
63 wise disqualified by law, shall be entitled to vote.

64 All commissioners and clerks selected to conduct elections,
65 and all registrars, and all challengers, shall take the oath pre-
66 scribed by law before entering upon the discharge of their re-
67 spective duties.

68 All other acts or parts of acts, in conflict with the provisions
69 of this act, for the purpose of this act only, are hereby repealed.

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 26th day of February,
1935.



SECRETARY OF STATE

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

Clinton Howard
 Chairman Senate Committee

Arnold M. Pickers
 Chairman House Committee

Originated in the House

Takes effect from passage.

Shay Smith
 Clerk of the Senate

Geo. S. Hume
 Clerk of the House of Delegates

Chas. E. Hodge
 President of the Senate

John S. Belter
 Speaker House of Delegates.

The within _____ this the _____

day of _____, 1935.

 Governor.

Filed in the office of the Secretary of State
 of West Virginia.
 Wm. S. O'BRIEN,
 Secretary of State
FEB 26 1935