

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1935



ENROLLED

HOUSE BILL No. 44

(By Mr. Anderson)



PASSED Feb 12th 1935

In Effect from Passage

44

ENROLLED

House Bill No. 49

(BY MR. ANDERSON)

[Passed February 12, 1935; in effect from passage.]

AN ACT to amend and reenact section nine, chapter five, acts of the Legislature of West Virginia, one thousand nine hundred nine, entitled “An act to incorporate the city of Keystone, McDowell County, West Virginia”, relating to the charter of the city of Keystone.

Be it enacted by the Legislature of West Virginia:

That section nine, chapter five, acts of the Legislature, one thousand nine hundred nine, be amended and reenacted to read as follows:

Section 9. The next election for mayor, recorder and five
2 councilmen of the city of Keystone, shall be held on the first
3 Thursday in February, one thousand nine hundred thirty-six,
4 and every two years thereafter there shall be an election held

5 on the first Thursday in February for the purpose of electing
6 a mayor, recorder and five councilmen of said city. They shall
7 be elected by the voters of the whole city. For the purpose of
8 conducting and holding such election, and all subsequent elec-
9 tions, the territory of said city shall be divided into two parts.
10 One part thereof shall be that portion of the territory of said
11 city lying east of the City Hall, situate in said ~~county~~ ^{city}; and the
12 other portion thereof shall be the remainder of the territory of
13 said city, lying west of said City Hall. For each of said two
14 portions of said city there shall be appointed by the common
15 council a double election board; that is, a receiving board, con-
16 sisting of three commissioners and two clerks, and a counting
17 board, consisting of three commissioners and two clerks. Any
18 person residing in said city shall be eligible for appointment
19 and to serve as an election officer, regardless of the portion of
20 the city in which he resides: *Provided, however,* That no per-
21 son who is an employee of said city in the capacity of chief of
22 police, police officer, or otherwise, and/or who has been in the
23 employ of said city during the six months immediately preced-
24 ing any city election, shall be qualified for appointment or shall
25 be eligible for appointment as an election officer. The dominant

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Aug. 10, 1892

26 political party in said city shall be entitled to have appointed as
27 election officers on the receiving board, two commissioners and
28 one clerk; on the counting board, two commissioners and one
29 clerk. The political party in said city for whose candidates the
30 next highest vote was cast at the last city election shall be en-
31 titled to have appointed as election officers on the receiving
32 board, one commissioner and one clerk; and on the counting
33 board, one commissioner and one clerk. The voters of
34 said city shall be registered in accordance with general law of
35 the state of West Virginia relating to registration of voters in
36 general elections, and candidates for each of the two dominant
37 political parties in said city for the officers hereinbefore in
38 this section named shall be nominated by the voters of the two
39 dominant political parties in said city in convention assembled:
40 *Provided further*, That nothing herein contained shall prevent
41 any group of citizens or voters in said city from nominating
42 candidates in accordance with section twenty-nine and section
43 thirty, article four, chapter three of the code of West Virginia,
44 one thousand nine hundred thirty-one. The conventions of the
45 two dominant political parties for the purpose of nominating
46 candidates shall be held at least thirty days before any election

47 at which the offices of mayor, recorder and five councilmen are
48 to be filled; and a list of the candidates so nominated shall be
49 certified to and filed with the recorder of said city at least fifteen
50 days before any such election. In all other respects, all elec-
51 tions, within said city, shall be held, conducted and the results
52 thereof ascertained, certified, returned and determined in ac-
53 cordance with the constitution of the state of West Virginia and
54 the general laws of the state relating to elections.

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

Clinton Howard

 Chairman Senate Committee

Charles M. Dickers

 Chairman House Committee

Originated in the.....*House*.....

Takes effect.....*from*.....passage.

Pharrah Miley

 Clerk of the Senate

Geo. L. Hall

 Clerk of the House of Delegates

Chas. E. Hodge

 President of the Senate

John H. Peltier

 Speaker House of Delegates.

The within.....*is approved*.....this the.....*20th*.....

day of.....*February*....., 1935.

H. S. Kemp

 Governor.

Filed in the office of the Secretary of State
 of West Virginia.....**FEB 20 1935**.....

Wm. S. O'BRIEN,
 Secretary of State