

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. 9

(By Mr. Van Sicker)



PASSED March 1 1937

In Effect from Passage

**ENROLLED**  
**House Bill No. 9**

(By MR. VAN SICKLER)

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[Passed March 1, 1937; in effect from passage.]

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AN ACT to amend and reenact section four, article three, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, relating to commissioner of accounts.

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

That section four, article three, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 4. *Matters That Will Disqualify Commissioner of*

2 *Accounts.* No person shall perform the duties of a commis-  
3 sioner of accounts in any matter wherein he will be passing  
4 upon his own account or acts; nor, where he will be called to  
5 pass upon any account or acts with reference to which he  
6 served as attorney or counsellor in or out of court; nor shall  
7 he be in any manner interested in the fees or emoluments of

8 any fiduciary whose account or acts are before him for any  
9 action required by this chapter; nor shall he be surety on  
10 the bond of the fiduciary whose accounts are before him,  
11 or agent of, or pecuniarily associated with, another who may  
12 be such surety; nor shall he be qualified to act in or pass  
13 upon any matter before him in which, were he a judge of the  
14 circuit court, and the matter were therein pending, he would  
15 for any reason be disqualified to serve. Any person who  
16 violates this section shall be guilty of a misdemeanor, and,  
17 upon conviction thereof shall, for each and every violation,  
18 be fined not less than fifty nor more than five hundred dol-  
19 lars, or imprisoned in the county jail for not more than six  
20 months, or punished by both fine and imprisonment at the  
21 discretion of the court; and upon such conviction his office  
22 shall ipso facto become vacant.

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

*Carl B. Galbreath*

Chairman Senate Committee

*Reed B. Baker*

Chairman House Committee

Originated in the.....

Takes effect..... passage.

*Charles J. ...*

Clerk of the Senate

*Wm. S. Hall*

Clerk of the House of Delegates

*Chas. E. Hodges*

President of the Senate

*James Kay Thomas*

Speaker House of Delegates

The within... *Approved* ... this the *6<sup>th</sup>* .....

day of *March* ....., 1937.

*Arman A. John*

Governor.

Filed in the office of the Secretary of State of West Virginia. **MAR 8 1937**

Wm. S. O'BRIEN, Secretary of State