WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

SENATE BILL No. 228

(By Mr. Paul)

PASSED March 10, 1937

In Effect 90 days from Passage
AN ACT validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued, and validating, ratifying, approving and confirming certain proceedings heretofore taken, by public bodies of this state for public works projects.

Be it enacted by the Legislature of West Virginia:

Section 1. This act may be cited as "the one thousand nine hundred thirty-seven validating act."

Sec. 2. The following terms, wherever used or referred to in this act, shall have the following meaning:

3 The term "public body" shall mean any city, town or
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4 county or the state acting through the West Virginia board of control.

6 The term "bonds" shall mean bonds, notes, warrants, debentures, certificates of indebtedness, temporary bonds, temporary notes, interim receipts, interim certificates and all instruments or obligations evidencing or representing indebtedness, or evidencing or representing the borrowing of money, or evidencing or representing a charge, lien or encumbrance on specific revenues, income or property of a public body, including all instruments or obligations payable from a special fund.

Sec. 3. All bonds heretofore issued for the purpose of financing or aiding in the financing of any work, undertaking or project by any public body to which any loan or grant has heretofore been made by the United States of America through the federal emergency administrator of public works for the purpose of financing or aiding in the financing of such work, undertaking or project, including all proceedings for the authorization and issuance of such bonds, and the sale, execution and delivery thereof, are hereby validated, ratified, approved and confirmed, notwithstanding any lack
of power (other than constitutional) of such public body, or
the governing board or commission or officers thereof, to
authorize and issue such bonds, or to sell, execute or deliver
the same, and notwithstanding any defects or irregularities
(other than constitutional) in such proceedings, including the
publication of ordinances or resolutions, the holding of
meetings to hear protests pursuant to such publication, the
description of the work, undertaking or project in such ordi-
ances or resolutions, the location of such work, undertaking
or project, whether within or without the limits of the state,
or in the sale, execution or delivery of such bonds, and not-
withstanding that the members of such governing body or
commission or officers may not have been elected, appointed
or qualified for the offices they purported to hold; and such
bonds are and shall be binding, legal, valid and enforceable
obligations of such public body.

Sec. 4. All proceedings, which have been taken prior to
the date this act takes effect, for the purpose of financing or
aiding in the financing of any work, undertaking or project
by any public body to which any loan or grant is under con-
tract to be made by the United States of America through
6 the federal emergency administrator of public works for the
7 purpose of financing, or aiding in the financing, of such work,
8 undertaking or project, including all proceedings for the
9 authorization and issuance of bonds, and for the sale, execution
10 and delivery thereof, are hereby validated, ratified, ap-
11 proved, and confirmed, notwithstanding any lack of power
12 (other than constitutional) or such public body or the govern-
13 ing body or commission or officers thereof, to authorize and
14 issue such bonds, or to sell, execute or deliver the same, and
15 notwithstanding any defects or irregularities (other than
16 constitutional) in such proceedings, including the publication
17 of ordinances or resolutions, the holding of meetings to hear
18 protests pursuant to such publication, the description of the
19 work, undertaking or project in such ordinances or resolu-
20 tions, the location of such work, undertaking or project,
21 whether within or without the limits of the state, and not-
22 withstanding that the members of such governing body may
23 not have been elected, appointed or qualified for the office
24 they purported to hold.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Takes effect

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within this the

day of, 1937.

Governor

Filed in the office of the Secretary of State of West Virginia.

Wm. S. O'Brien,
Secretary of State