

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

SENATE BILL No. 228

(By Mr. Paull)



PASSED March 10 1937

In Effect 90 days from Passage

ENROLLED

Senate Bill No. 228

(BY MR. PAULL) (by request)

[Passed March 10, 1937; in effect ninety 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
2 nine hundred thirty-seven validating act.”

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

3 The term “public body” shall mean any city, town or

4 county or the state acting through the West Virginia board
5 of control.

6 The term "bonds" shall mean bonds, notes, warrants, de-
7 bentures, certificates of indebtedness, temporary bonds, tem-
8 porary notes, interim receipts, interim certificates and all
9 instruments or obligations evidencing or representing indebt-
10 edness, or evidencing or representing the borrowing of money,
11 or evidencing or representing a charge, lien or encumbrance
12 on specific revenues, income or property of a public body,
13 including all instruments or obligations payable from a spe-
14 cial fund.

Sec. 3. All bonds heretofore issued for the purpose of
2 financing or aiding in the financing of any work, undertaking
3 or project by any public body to which any loan or grant
4 has heretofore been made by the United States of America
5 through the federal emergency administrator of public works
6 for the purpose of financing or aiding in the financing of
7 such work, undertaking or project, including all proceedings
8 for the authorization and issuance of such bonds, and the
9 sale, execution and delivery thereof, are hereby validated,
10 ratified, approved and confirmed, notwithstanding any lack

11 of power (other than constitutional) of such public body, or
12 the governing board or commission or officers thereof, to
13 authorize and issue such bonds, or to sell, execute or deliver
14 the same, and notwithstanding any defects or irregularities
15 (other than constitutional) in such proceedings, including the
16 publication of ordinances or resolutions, the holding of
17 meetings to hear protests pursuant to such publication, the
18 description of the work, undertaking or project in such ordi-
19 nances or resolutions, the location of such work, undertaking
20 or project, whether within or without the limits of the state,
21 or in the sale, execution or delivery of such bonds, and not-
22 withstanding that the members of such governing body or
23 commission or officers may not have been elected, appointed
24 or qualified for the offices they purported to hold; and such
25 bonds are and shall be binding, legal, valid and enforceable
26 obligations of such public body.

Sec. 4. All proceedings, which have been taken prior to
2 the date this act takes effect, for the purpose of financing or
3 aiding in the financing of any work, undertaking or project
4 by any public body to which any loan or grant is under con-
5 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, execu-
10 tion 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.

Carl B. Gathright

Chairman Senate Committee

Wesley Backer

Chairman House Committee

Originated in the.....

Takes effect..... passage.

Charles H. ...

Clerk of the Senate

Geo S Hall

Clerk of the House of Delegates

Chas. E. Hoops

President of the Senate

J. K. Thomas

Speaker House of Delegates

The within *Approved* this the *19*

day of *March*, 1937.

James A. ...

Governor

Filed in the office of the Secretary of State
of West Virginia. **MAR 19 1937**
Wm. S. O'BRIEN,
Secretary of State