ENROLLED

SENATE BILL No. 136

(By Mr. Jackson)

PASSED March 9, 1945

In Effect 90 days from Passage
AN ACT to amend and reenact section four, article nine, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, relating to nonpayment of orders issued by boards of education and liability of sheriff.

Be it enacted by the Legislature of West Virginia:

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

Section 4. Nonpayment of Order; Liability of Sheriff.—

2 If, when an order of any board of education of his county
3 is presented to the sheriff, there are no funds to pay the
same, the person entitled to receive the sum of money
specified in such order may require the sheriff to endorse
thereon, or write across the face thereof, the words "pre-
presented for payment", with the proper date, and sign the
same; and the order, if it was due at the time of present-
ment, shall in such case be payable with legal interest
from such date.

Any such order not paid when presented as aforesaid
shall again be presented to the sheriff for payment by the
person entitled to receive the money thereon not later
than the first day of December after such endorsement,
and if not so presented, no further interest shall be al-
allowed or paid on such order thereafter, until such order
shall be so presented and endorsed as aforesaid a second
time by the sheriff, and in no case shall interest be allowed
or paid on such order for the period of time elapsed from
the first day of December following the first endorsement
of such order by the sheriff and the date when such order
is presented for payment or endorsement by the sheriff a
second time.
In no event shall any such order issued subsequent to July one, one thousand nine hundred forty-five, bear interest for a longer period than one year and six months from date of its issue. But if the sheriff, having funds to pay the same, fails to pay any proper order of any board of education of his county, properly endorsed, when presented to him during business hours by a person entitled to receive the money therein specified, if the same be then due and payable, he and his sureties, and the personal representatives of such of them as are dead, shall be liable to the person entitled to receive the money due on said order for the whole amount due thereon at the time of such presentation, with legal interest on such amount from that time until payment, and ten per cent on the same amount as damages.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Charles C. Morris
Chairman Senate Committee

Chairman House Committee

Originated in the Senate

Takes effect 90 days from passage

Howard Wegos
Clerk of the Senate

Phillip
Clerk of the House of Delegates

Ernest W. Vickers
President of the Senate

John E. Amos
Speaker House of Delegates

The within Approved this the 14th
day of March, 1945.

Governor.

Filed in the office of the Secretary of State
Mar 15 1945
at West Virginia
Win. S. O'Brien,
Secretary of State