WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1949

ENROLLED

HOUSE BILL No. 366

(By Mr. Burt)

PASSED March 11, 1949

In Effect July 1, 1949
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House Bill No. 366
(By Mr. Burt)

[Passed March 11, 1949; in effect July 1, 1949.]

AN ACT to amend and reenact section seven of an act entitled
“An act to establish a county court and a board of commissioners of Ohio county, under the thirty-fourth section of the eighth article of the constitution of the state of West Virginia”, approved December thirty-first, one thousand eight hundred seventy-two, as amended by acts of the Legislature, one thousand nine hundred nine, and as further amended, by chapter one hundred thirty-two, acts of the Legislature, one thousand nine hundred twenty-three.

Be it enacted by the Legislature of West Virginia:

That section seven of an act entitled “An act to establish a county court and a board of commissioners of Ohio county, under the thirty-fourth section of the eighth article of the constitution of the State of West Virginia”, approved December thirty-first, one thousand eight hundred seventy-two, as amend-
ed by the acts of the Legislature, one thousand nine hundred nine, and as further amended by chapter one hundred thirty-two, acts of the Legislature, one thousand nine hundred twenty-three, be amended and reenacted to read as follows:

Section 7. Board of Commissioners of Ohio County; Meetings; Compensation; Powers.—The commissioners elected as provided in section five shall constitute a board, to be known as "the Board of Commissioners of the county of Ohio", by which name they may sue and be sued, and make and use a common seal, and enact ordinances and by-laws not inconsistent with the laws of this state. They will meet steadily on the first Monday in every month, at the court house of their county, and may hold special and adjourned meetings at any time after their first meeting after election. They shall elect one of their number president of the board, and appoint a clerk, who shall hold his office at their pleasure, and shall keep a journal of their proceedings, including a record of their ordinances in a volume separate from the journal of their proceedings, and shall perform such other services pertaining to his office as may be by them or by law re-
quired; and whose compensation shall be forty-two hundred dollars annually, which salary shall be paid from the county treasury and no fees or additional salary shall be received by said clerk. The said board shall have the same powers now vested in the board of commissioners of Ohio county as to the superintendence and administration of the internal police and fiscal affairs of the county, including the establishment and regulation of roads, ways, bridges, public landings, ferries and mills, the granting of ordinary and other licenses, with authority to lay and disburse the county levies. The board shall, in all contested cases, judge of the election, qualification and returns of its own members, and of all county and district officers; and it shall exercise such other jurisdiction and perform such other duties as may be prescribed by law. The said commissioners shall each receive a compensation of thirty-five hundred dollars annually, which salary shall be paid from the county treasury and no fees, commissions or additional salary shall be received by any of said commissioners. Any commissioner may be indicted for malfeasance, mis-
feasance or neglect of official duty, and, upon conviction thereof, his office shall become vacant. A vacancy in the board of commissioners, whether from resignation, removal from the subdivision from which he was elected, removal from office, death or other cause, shall be filled by the remaining members of the board.

All acts or parts of acts inconsistent herewith are hereby repealed.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1949 .

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within APPROVED this the 18TH day of MARCH, 1949.

Filed in the Office of the Secretary of State of West Virginia MAR 18, 1949

D. Pitt O'Brien, Secretary of State