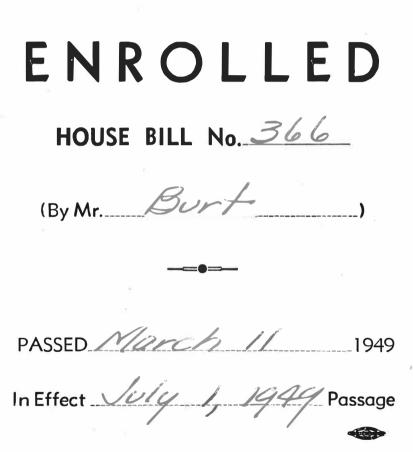
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1949





ENROLLED 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-forth 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 amendEnr. H. B. No. 366]

ed by the acts of the Legislature, one thousand nine hundred nine, and as further amended by chapter one hundred thirtytwo, acts of the Legislature, one thousand nine hundred twentythree, be amended and reenacted to read as follows:

Section 7. Board of Commissioners of Ohio County; 2 Meetings; Compensation; Powers.—The commissioners 3 elected as provided in section five shall constitute a board. to be known as "the Board of Commissioners of the coun-4 5 ty of Ohio", by which name they may sue and be sued, 6 and make and use a common seal, and enact ordinances 7 and by-laws not inconsistent with the laws of this state. They will meet steadily on the first Monday in every 8 month, at the court house of their county, and may hold 9 10 special and adjourned meetings at any time after their 11 first meeting after election. They shall elect one of their 12 number president of the board, and appoint a clerk, who shall hold his office at their pleasure, and shall keep a 13 14 journal of their proceedings, including a record of their ordinances in a volume separate from the journal of their 1516 proceedings, and shall perform such other services per-17 taining to his office as may be by them or by law re-

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quired; and whose compensation shall be forty-two hun-18 dred dollars annually, which salary shall be paid from 19 the county treasury and no fees or additional salary 20 21 shall be received by said clerk. The said board shall 22 have the same powers now vested in the board of commissioners of Ohio county as to the superintendence 23 24 and administration of the internal police and fiscal affairs of the county, including the establishment and reg-25 ulation of roads, ways, bridges, public landings, ferries 26 27 and mills, the granting of ordinary and other licenses, 28 with authority to lay and disburse the county levies. The board shall, in all contested cases. judge of the elec-29 tion, qualification and returns of its own members, and 30 of all county and district officers; and it shall exercise 3132 such other jurisdiction and perform such other duties as may be prescribed by law. The said commissioners 33 shall each receive a compensaton of thirty-five hundred 34 35 dollars annually, which salary shall be paid from the county treasury and no fees, commissions or additional 36 37 salary shall be received by any of said commissioners. Any commissioner may be indicted for malfeasance, mis-38

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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.

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45 All acts or parts of acts inconsistent herewith are here-46 by repealed.

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

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Balla Chairman Sénate Committee

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Chairman House Committee

Originated in the House of Delegates ____passage. Takes effect 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. Okey L. (alloon Filed in the Office of the Secretary of State of West Virginia BRIEN. D. PIT SECRETARY OF STATE