

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953

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## ENROLLED

SENATE BILL NO. 10

(By Mr. Love.....)

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PASSED February 11, 1953

In Effect Ninety days from Passage

FILED IN THE OFFICE OF THE SECRETARY OF STATE  
OF WEST VIRGINIA Feb. 16, 1953

**D. FITT O'BRIEN,**

SECRETARY OF STATE

#10

stamps

**ENROLLED**  
**Senate Bill No. 10**

(By MR. LOVE)

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[Passed February 11, 1953; in effect ninety days from passage.]

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AN ACT to amend and reenact section seven, article ten, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, relating to filling vacancy in office of clerk of circuit court.

*Be it enacted by the Legislature of West Virginia:*

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

*Section 7. Clerk of Circuit Court; Filling Vacancies in*  
2 *Office of.*—When a vacancy occurs in the office of clerk  
3 of the circuit court, the circuit court, or the judge thereof  
4 in vacation, shall fill the same by appointment until the

5 next general election, and the person so appointed shall  
6 hold office until his successor is elected and qualified.  
7 At such general election a clerk shall be elected for the  
8 unexpired term. The circuit court, or the judge thereof  
9 in vacation, shall cause a notice of such election to be  
10 published once each week for two successive weeks in  
11 two newspapers of opposite politics, printed in the county,  
12 if there be any such papers printed therein, or in such  
13 other manner as will give ample notice of such election.  
14 If the vacancy occur more than thirty days before the  
15 date of the primary election held to nominate candidates  
16 to be voted for at the general election, at which any such  
17 vacancy is to be filled, candidates to fill such vacancy  
18 shall be nominated at such primary election. Otherwise,  
19 they shall be nominated by the county executive com-  
20 mittee in the manner provided in section twenty-three,  
21 article four of this chapter, as in the case of filling vacan-  
22 cies in nominations, and the names of the persons, so  
23 nominated and certified to the clerk of the circuit court  
24 of such county, shall be placed upon the ballot to be  
25 voted at such next general election.

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

*H. M. Kirley*  
-----  
Chairman Senate Committee

*A. A. Aebler*  
-----  
Chairman House Committee

Originated in the Senate.

Takes effect *ninety days from* ----- passage.

*Howard Myers*  
-----  
Clerk of the Senate

*J. R. Stiff*  
-----  
Clerk of the House of Delegates

*Ralph J. Bean*  
-----  
President of the Senate

*W. E. Johnson*  
-----  
Speaker House of Delegates

The within *approved* ----- this the *13th* -----

day of *February* -----, 1953.

*William C. Marland*  
-----  
Governor.