

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

Committee Substitute for
ENROLLED

SENATE BILL NO. 265

(By Mr. *Comm on Judiciary*)

PASSED March 8.....1957

In Effect 90 days from Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 265

(Originating in the Committee on the Judiciary)

[Passed March 8, 1957; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article two, chapter fifty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the appointment of a guardian ad litem in eminent domain proceedings for owners or other interested parties under disability or who are unknown.

Be it enacted by the Legislature of West Virginia:

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

Section 4. *Persons Under Disability*.—If the owner, or
2 person holding any lien or claim, be under any disability
3 and there be a guardian or committee for him, such
4 guardian or committee shall be notified; but if there be
5 no guardian or committee or if any such owner or person
6 be unknown or if there be any persons made parties by
7 the general description of parties unknown, as provided
8 in section two of this article, the court, or judge thereof
9 in vacation, shall appoint a guardian ad litem to defend
10 such interests and may direct the payment of such
11 guardian ad litem, in an amount to be fixed by the court
12 or judge, to be taxed as costs and paid by the applicant.

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

E. H. McCourt
Chairman Senate Committee

W. H. H. [Signature]
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

[Signature]
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Ralph J. Bean
President of the Senate

W. E. Ramsey
Speaker House of Delegates

The within approved this the 15th day of March, 1957.

[Signature]
Governor



Filed in the Office of the Secretary of State of West Virginia **MAR 15 1957**
D. PITT O'BRIEN
SECRETARY OF STATE