

WEST VIRGINIA CODE: §55-8-4

§55-8-4. General issue in debt or assumpsit on sealed instrument.

The general issue in an action of debt on a sealed instrument shall be *nil debet*, and in an action of assumpsit on such instrument it shall be *non assumpsit*. It shall not be necessary in either case to plead *non est factum*, but any evidence admissible under a plea of *non est factum* may be given under the general issue, provided there be filed with such plea of the general issue the affidavit required by section forty-six, article four, chapter fifty-six of this code.