# WEST VIRGINIA CODE: §6-5-10

**§6-5-10. Procedure on failure to deliver property to successor; penalty.**

If the predecessor of any officer fail to comply with any of the requirements of the preceding section, it shall be the duty of such officer to notify the prosecuting attorney of the county of such failure, who shall forthwith proceed to recover the property, if it can be found, and to place the official bond of such delinquent party in suit, and there shall be a recovery on his official bond of the value of all property not delivered as required by the preceding section or recovered, and, unless it appear that such failure was through no fault of the party complained of, a penalty of $100, and the costs of the suit, including an attorney's fee of $10. The penalty recovered in the suit on the bond shall be paid into the general school fund of the state.

WV Legislature