

49

ENROLLED BILL

Regular Session

SENATE BILL NO. 49

By Mr. Taylor (By Request)

PASSED February 22 1933

IN EFFECT Ninety days from PASSAGE

Originating in the Senate
Takes effect
Ninety days from passage.
Clerk of the House of Delegates.
Clerk.

CORRECTLY ENROLLED

Chairman House Committee.
Chairman Senate Committee.

ENROLLED BILL

(S. B. No. 49)

[Passed February 22, 1933; in effect ninety days from passage]

AN ACT to amend and reenact section one, article eight, chapter forty-seven of the code of West Virginia, one thousand nine hundred thirty-one, relating to trade names and goods of principal liable for debts of agent unless principal disclosed.

Be it enacted by the Legislature of West Virginia:

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

Section 1. If any person shall transact business as a trader
2 on his own account and in addition to such business, shall
3 act as factor, agent or in any other sales representative
4 capacity, or if any person without transacting business on
5 his own account shall act as such factor, agent or in any other
6 representative capacity, either with or without the use of
7 the terms "and company" or "and co.," and shall fail to

CORRECTLY ENROLLED

A. Hays

Chairman Senate Committee.

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James L. Smith

Chairman House Committee.

8 disclose the name of his principal or partner by a sign in
9 letters easy to be read, placed conspicuously at the house or
10 place of business wherein such business is transacted and
11 also by a notice published once each week for two successive
12 weeks in a newspaper printed in the town or county where-
13 in the same is transacted, or if no such newspaper be printed
14 therein, then in a newspaper of general circulation in such
15 town or county; then all of the property, stock, and choses
16 in action, acquired or used in such business shall, as to the
17 creditors of such person, be liable for all of the debts of such
18 person. This section shall not apply to a person transacting
19 such business under a license to him as an auctioneer or com-
20 mission merchant and nothing herein contained shall be con-
21 strued as affecting to his disadvantage any right or rights
22 reserved to or acquired by any seller of goods, by or on
23 account of his compliance with the terms, conditions and pro-
24 visions of what is known as the uniform conditional sales act
25 as contained in article three, chapter forty of the code of
26 West Virginia, one thousand nine hundred thirty-one.

CORRECTLY ENROLLED

James O. Smith
Chairman Senate Committee.

James L. Smith
Chairman House Committee.

Wm. H. Fisher
Speaker of the House of Delegates

Geo. Isaac
Clerk of the House of Delegates.

S. B. Mainwaring
President of the Senate.

Alfred Smith
Clerk of the Senate.

The within is *Approved*

this *27* day of *February*, 1933.

Filed in the office of the Secretary of State
of West Virginia **FEB 27 1933**
GEORGE W. SHARP,
Secretary of State.

W. G. Gentry
Governor.