ENROLLED BILL

Regular Session

SENATE BILL NO. 49

By Mr. Taylor (By Request)

PASSED February 2, 1933

IN EFFECT Ninety days from PASSAGE
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 on his own account and in addition to such business, shall act as factor, agent or in any other sales representative capacity, or if any person without transacting business on his own account shall act as such factor, agent or in any other representative capacity, either with or without the use of the terms “and company” or “and co.,” and shall fail to
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.
Enrolled S. B. No. 49]

Speaker of the House of Delegates

Clerk of the House of Delegates.

President of the Senate.

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.