

Rec., Mar. 11, 1933

#75

ENROLLED BILL

Regular Session

SENATE BILL NO. 75

By Mr. Henderson (by request)

PASSED March 11, 1933

IN EFFECT ninety days from PASSAGE

Originating in the Senate Takes effect ninety days from passage.
James I. Smith Clerk.

John S. Hall
Clerk of the House of Delegates.

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Chairman House Committee.

James I. Smith
Chairman Senate Committee.

ENROLLED BILL

(S. B. No. 75)

[Passed March 11, 1933; in effect ninety days from passage.]

AN ACT to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars or less, secured or unsecured, at a greater rate of interest than six per cent per annum; prescribing the rates of interest and charges therefor and penalties for the violation thereof; regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less; providing for the administration of this act; authorizing the making of examinations and investigations and the publication of reports thereof; providing for certain exemptions from the operation of said act; providing for the disposition

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of revenues received hereunder, and to repeal article seven, chapter forty-seven of the code of West Virginia, one thousand nine hundred thirty-one, and to repeal all acts and parts of acts inconsistent with the provisions of this act. /1

Be it enacted by the Legislature of West Virginia:

Section 1. No person, copartnership, association, or corporation shall engage in the business of making loans of money, credit, goods, or things in action in the amount or of the value of three hundred dollars or less and charge, contract for, or receive on any such loan a greater rate of interest, discount, or consideration therefor than six per cent per annum except as authorized by this act and without first obtaining a license from the commissioner of banking of the state of West Virginia, hereinafter called the commissioner.

Sec. 2. Application for such license shall be in writing, under oath, and in the form prescribed by the commissioner, and shall contain the name and the address (both of the residence and place of business) of the applicant, and if the applicant is a copartnership or association, of every member thereof, and if a corporation, of each officer and director thereof; also the county and municipality with street and number,

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8 if any, where the business is to be conducted and such further
 9 information as the commissioner may require. Such applicant
 10 at the time of making such application shall pay to the commis-
 11 sioner the sum of fifty dollars as a fee for investigating the
 12 application and the additional sum of one hundred dollars as
 13 an annual license fee for a period terminating on the thirtieth
 14 day of June next following such application: *Provided*, That
 15 if the application is filed on or after January first in any year
 16 such additional sum shall be only fifty dollars. In addition to
 17 the said annual license fee every licensee hereunder shall pay
 18 to the commissioner the actual costs of each examination as pro-
 19 vided for in section ten of this act.

20 Every applicant shall also prove, in form satisfactory to the
 21 commissioner, that he or it has available for the operation of
 22 such business at the location specified in the application, liquid
 23 assets of at least two thousand dollars.

Sec. 3. The applicant shall also at the same time file with
 2 the commissioner a bond to be approved by him in which the
 3 applicant shall be the obligor, in the sum of one thousand
 4 dollars with one or more sureties whose liability as such sure-
 5 ties need not exceed the said sum in the aggregate. The said

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6 bond shall run to the state for the use of the state and of any
7 person or persons who may have cause of action against the
8 obligor of said bond under the provisions of this act. Such
9 bond shall be conditioned that said obligor will faithfully con-
10 form to and abide by the provisions of this act and of all rules
11 and regulations lawfully made by the commissioner hereunder,
12 and will pay to the state and to pay any such person or per-
13 sons any and all moneys that may become due or owing to the
14 state or to such person or persons from said obligor under and
15 by virtue of the provisions of this act.

Sec. 4. Upon the filing of such application and the payment
2 of such fees and the approval of such bond, if the commis-
3 sioner shall find that the financial responsibility, experience,
4 character, and general fitness of the applicant, and of the mem-
5 bers thereof if the applicant be a copartnership or association,
6 and of the officers and directors thereof if the applicant be a
7 corporation, are such as to command the confidence of the com-
8 munity and to warrant belief that the business will be operated
9 honestly, fairly, and efficiently within the purposes of this act,
10 and if the commissioner shall find that allowing such applicant
11 to engage in business will promote the convenience and advan-

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12 tage of the community in which the business of the applicant
13 is to be conducted, and if the commissioner shall find that the
14 applicant has available for the operation of such business at the
15 specified location liquid assets of at least two thousand
16 dollars, he shall thereupon issue and deliver a license to the
17 applicant to make loans in accordance with the provisions of
18 this act at the location specified in the said application, which
19 license shall remain in full force and effect until it is surren-
20 dered by the licensee or revoked or suspended as hereinafter
21 provided; if the commissioner shall not so find he shall not
22 issue such license and he shall notify the applicant of the denial
23 and return to the applicant the bond and the sum paid by the
24 applicant as a license fee, retaining the fifty dollars investiga-
25 tion fee to cover the costs of investigating the application. The
26 commissioner shall approve or deny every application for
27 license hereunder within sixty days from the filing thereof
28 with the said fees and the said approved bond.

29 If the application is denied the commissioner shall within
30 twenty days thereafter file in his office a written decision and
31 findings with respect thereto containing the evidence and the
32 reasons supporting the denial, and forthwith serve upon the

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33 applicant a copy thereof.

Sec. 5. Such license shall state the address at which the
2 business is to be conducted and shall state fully the name of
3 the licensee, and if the licensee is a copartnership or associa-
4 tion, the names of the members thereof, and if a corporation,
5 the date and place of its incorporation. Such license shall be
6 kept conspicuously posted in the place of business of the
7 licensee and shall not be transferable or assignable.

Sec. 6. If the commissioner shall find at any time that the
2 bond is insecure or exhausted or otherwise doubtful, an addi-
3 tional bond to be approved by him, with one or more sureties
4 and of the character specified in section three of this act, in the
5 sum of not more than one thousand dollars shall be filed by the
6 licensee within ten days after written demand upon the licensee
7 by the commissioner.

8 Every licensee shall maintain at all times assets of at least
9 two thousand dollars either in liquid form available for
10 the operation of or actually used in the conduct of such busi-
11 ness at the location specified in the license.

Sec. 7. Not more than one place of business shall be main-
2 tained under the same license, but the commissioner may issue

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3 more than one license to the same licensee upon compliance with
4 all the provisions of this act governing an original issuance of
5 a license, for each such new license.

6 Whenever a licensee shall change his place of business to
7 another location within the same municipality he shall at once
8 give written notice thereof to the commissioner who shall attach
9 to the license in writing his record of the change and the date
10 thereof, which shall be authority for the operation of such busi-
11 ness under such license at such new location. No change in the
12 place of business of a licensee to a location outside of the orig-
13 inal municipality shall be permitted under the same license.

Sec. 8. Every licensee shall, on or before the twentieth day
2 of each June, pay to the commissioner the sum of one hundred
3 dollars as an annual license fee for the next succeeding fiscal
4 year and shall at the same time file with the commissioner a
5 bond in the same amount and of the same character as required
6 by section three of this act.

Sec. 9. The commissioner shall, upon ten days' notice to the
2 licensee stating the contemplated action and in general the
3 grounds therefor, and upon reasonable opportunity to be heard,
4 revoke any license issued hereunder if he shall find that:

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(a) The licensee has failed to pay the annual license fee or to maintain in effect the bond or bonds required under the provisions of this act or to comply with any demand, ruling, or requirement of the commissioner lawfully made pursuant to and within the authority of this act.

(b) The licensee has violated knowingly any provision of this act or any rule or regulation lawfully made by the commissioner under and within the authority of this act.

The commissioner may, without notice or hearing, suspend any license for a period not exceeding thirty days, pending investigation.

The commissioner may revoke or suspend only the particular license with respect to which grounds for revocation or suspension may occur or exist, or, if he shall find that such grounds for revocation or suspension are of general application to all offices, or to more than one office, operated by such licensee, he shall revoke or suspend all of the licenses issued to said licensee or such licenses as such grounds apply to, as the case may be.

Any licensee may surrender any license by delivering to the commissioner written notice that he thereby surrenders such license, but such surrender shall not effect the civil or criminal

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26 liability of the licensee for acts committed prior to such
27 surrender.

28 No revocation or suspension or surrender of any license shall
29 impair or affect the obligation of any preexisting lawful con-
30 tract between the licensee and any borrower.

31 Every license issued hereunder shall remain in force and
32 effect until the same shall have been surrendered, revoked, or
33 suspended in accordance with the provisions of this act, but the
34 commissioner shall have authority on his own initiative to re-
35 instate suspended licenses or to issue new licenses to a licensee
36 whose license or licenses shall have been revoked if no fact or
37 condition then exists which clearly would have warranted the
38 commissioner in refusing originally to issue such license under
39 this act.

40 Whenever the commissioner shall revoke or suspend a license
41 issued pursuant to this act, he shall forthwith file in his office
42 a written order to that effect and findings with respect thereto
43 containing the evidence and the reasons supporting the revoca-
44 tion or suspension, and forthwith serve upon the licensee a copy
45 thereof.

Sec. 10. For the purpose of discovering violations of this

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2 act or securing information lawfully required by him hereunder,
 3 the commissioner may at any time, either personally or by a
 4 person or persons duly designated by him, investigate the loans
 5 and business and examine the books, accounts, records, and files
 6 used therein, of every licensee and of every person, copartner-
 7 ship, association, and corporation who or which shall be engaged
 8 in the business described in section one of this act, whether
 9 such person, copartnership, association or corporation shall act
 10 or claim to act as principal or agent, or under or without the
 11 authority of this act. For that purpose the commissioner and
 12 his duly designated representatives shall have free access to
 13 the office and place of business, books, accounts, papers, records,
 14 files, safes and vaults of all such persons, copartnerships, asso-
 15 ciations and corporations. The commissioner shall have power
 16 to subpoena witnesses and take testimony and administer oaths
 17 to any witness in any investigation made or proceeding had
 18 by him with reference to any matter within his jurisdiction
 19 under this act. In all hearings or proceedings before the com-
 20 missioner the evidence of witnesses and the production of docu-
 21 mentary evidence may be required at any designated place of
 22 hearing; and in case of disobedience to a subpoena or other

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23 process the commissioner may invoke the aid of any circuit
24 court of this state in requiring the evidence and testimony of
25 witnesses and the production of books, accounts, papers and
26 records; and such court, in the case of refusal to obey the
27 subpoena issued to any person or to any applicant for a license
28 hereunder, or to any licensee subject to the provisions of this
29 act, shall issue an order requiring such person, applicant or
30 licensee to appear before such commissioner and produce all
31 such books, accounts, papers and records, if so ordered,
32 and give evidence touching the matter in question. Any failure
33 to obey such order of the court may be punished by such court
34 as contempt thereof.

35 The commissioner shall make such an examination of the
36 affairs, business, office, and records of each licensee at least
37 once each year. The actual cost of every examination shall be
38 paid to the commissioner by every licensee so examined, and
39 the commissioner may maintain an action for the recovery of
40 such costs in any court of competent jurisdiction.

Sec. 11. The licensee shall keep and use in his business such
2 books, accounts and records as will enable the commissioner to
3 determine whether such licensee is complying with the pro-

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4 visions of this act and with the rules and regulations lawfully
5 made by the commissioner hereunder. Every licensee shall pre-
6 serve such books, accounts and records, including cards used in
7 the card system, if any, for at least two years after making the
8 final entry on any loan recorded therein.

9 Each licensee shall annually on or before the fifteenth day of
10 September file a report with the commissioner giving such
11 relevant information as the commissioner reasonably may re-
12 quire concerning the business and operations during the pre-
13 ceding fiscal year of each licensed place of business conducted
14 by such licensee within the state. Such report shall be made
15 under oath and shall be in the form prescribed by the commis-
16 sioner who shall make and publish annually an analysis and
17 recapitulation of such reports.

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Sec. 12. No licensee or other person, copartnership, associa-
2 tion, or corporation shall advertise, print, display, publish, dis-
3 tribute, or broadcast or cause or permit to be advertised,
4 printed, displayed, published, distributed or broadcasted, in
5 any manner whatsoever any statement or representation with
6 regard to the rates, terms, or conditions for the loaning of
7 money, credit, goods, or things in action in the amount or of

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8 the value of three hundred dollars or less, which is false, mis-
9 leading, or deceptive.

10 The commissioner may order any licensee to desist from any
11 conduct which he shall find to be a violation of the foregoing
12 provisions.

13 No licensee shall take a lien upon real estate as security for
14 any loan under the provisions of this act, except such lien as
15 is created by law upon the recording of a judgment.

16 No licensee shall conduct the business of making loans under
17 the provisions of this act within any office, room, or place of
18 business in which any other business is solicited or engaged in,
19 or in association or conjunction therewith, except as may be
20 authorized in writing by the commissioner upon his finding that
21 the character of such other business is such that the granting
22 of such authority would not facilitate evasions of this act or of
23 the rules and regulations lawfully made hereunder.

24 No licensee shall transact such business or make any loan pro-
25 vided for by this act under any other name or at any other
26 place of business than that named in the license.

27 No licensee shall take any confession of judgment or any
28 power of attorney. No licensee shall take any note, promise to

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29 pay, or security that does not accurately disclose the actual
 30 amount of the loan, the time for which it is made, and the
 31 agreed rate of interest, nor any instrument in which blanks
 32 are left to be filled in after execution.

Sec. 13. Every licensee hereunder may loan any sum of
 2 money not exceeding three hundred dollars in amount and may
 3 charge, contract for, and receive thereon interest at a rate not
 4 exceeding two and one-half per centum per month, except on
 5 the first one hundred fifty dollars of any loan, or remaining
 6 balance thereof, a rate not to exceed three and one-half per
 7 centum per month may be charged.

8 No amount whatsoever shall be paid, deducted, or received
 9 in advance. Interest shall not be compounded and shall be
 10 computed only on unpaid principal balances.

11 In addition to the interest herein provided for no further
 12 or other charge or amount whatsoever for any examination,
 13 service, brokerage, commission, expense, fee, or bonus or other
 14 thing or otherwise shall be directly or indirectly charged, con-
 15 tracted for, or received. If any interest, consideration or
 16 charges in excess of those permitted by this act are charged,
 17 contracted for, or received, the contract of loan shall be void

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18 and the licensee shall have no right to collect or receive any
 19 principal, interest, or charges whatsoever.

Sec. 14. Every licensee shall:

2 Deliver to the borrower at the time any loan is made a state-
 3 ment (upon which there shall be printed a copy of section
 4 thirteen of this act) in the English language showing in clear
 5 and distinct terms the amount and date of the loan and of its
 6 maturity, the nature of the security, if any, for the loan, the
 7 name and address of the borrower and of the licensee, and the
 8 agreed rate of charge;

9 Give to the borrower a plain and complete receipt for all
 10 payments made on account of any such loan at the time such
 11 payments are made, specifying the amount applied to interest
 12 and the amount, if any, applied to principal, and stating the
 13 unpaid principal balance, if any, of such loan;

14 Permit payment to be made in advance in any amount on
 15 any contract of loan at any time, but the licensee may apply
 16 such payment first to all interest in full at the agreed rate up
 17 to the date of such payment;

18 Upon repayment of the loan in full, mark indelibly every
 19 obligation and security signed by the borrower with the word

20 "Paid" or "Cancelled", and release any mortgage, restore
 21 any pledge, cancel and return any note, and cancel and return
 22 any assignment given to the licensee by the borrower.

Sec. 15. No licensee shall directly or indirectly charge, con-
 2 tract for, or receive any interest, discount, or consideration
 3 greater than six per cent per annum upon the loan, use, or
 4 forbearance of money, goods, or things in action, or upon the
 5 loan, use, or sale of credit, of the amount or value of more
 6-7 than three hundred dollars. The foregoing prohibition shall
 8 also apply to any licensee who permits any person, as borrower
 9 or as endorser, guarantor, or surety for any borrower, or other-
 10 wise, to owe directly or contingently or both to the licensee at
 11 any time the sum of more than three hundred dollars for
 12 principal.

Sec. 16. The payment of three hundred dollars or less in
 2 money, credit, goods, or things in action, as consideration for
 3 any sale or assignment of, or order for, the payment of wages,
 4 salary, commissions, or other compensation for services, whether
 5 earned or to be earned, shall for the purposes of this act be
 6 deemed a loan secured by such assignment, and the amount by
 7 which such assigned compensation exceeds the amount of such

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8 consideration actually paid shall be deemed interest or charges
9 upon such loan from the date of such payment to the date such
10 compensation is payable. Such transaction shall be governed
11 by and subject to the provisions of this act.

Sec. 17. No assignment of or order for payment of any
2 salary, wages, commissions, or other compensation for services,
3 earned or to be earned, given to secure any loan made by any
4 licensee under this act, shall be valid unless the amount of such
5 loan is paid to the borrower simultaneously with its execution:
5-a nor shall any such assignment or order, or any chattel mortgage
6 or other lien on household furniture then in the possession and
7 use of the borrower, be valid unless it is in writing, signed in
8 person by the borrower, nor if the borrower is married unless
9 it is signed in person by both husband and wife: *Provided,*
10 That written assent of a spouse shall not be required when
11 husband and wife have been living separate and apart for a
12 period of at least five months prior to the making of such
13 assignment, order, mortgage, or lien.

14 Under any such assignment or order for the payment of fu-
15 ture salary, wages, commissions, or other compensation for
16 services, given as security for a loan made by any licensee under



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17 this act, a sum not to exceed ten per cent of the borrower's
 18 salary, wages, commissions, or other compensation for services
 19 shall be collectible from the employer of the borrower by the
 20 licensee at the time of each payment to the borrower of such
 21 salary, wages, commissions, or other compensation for services,
 22 from the time that a copy of such assignment, verified by the
 23 oath of the licensee or his agent, together with a similarly veri-
 24 fied statement of the amount unpaid upon such loan, is served
 25 upon the employer.

Sec. 18. No person, copartnership, association, or corpora-
 2 tion, except as authorized by this act, shall directly or indirectly
 3 charge, contract for, or receive any interest, discount, or con-
 4 sideration greater than six per cent per annum upon the loan,
 5 use, or forbearance of money, goods, or things in action, or
 6 upon the loan, use, or sale of credit of the amount or value of
 7 three hundred dollars or less.

8 The foregoing prohibition shall apply to any person, copart-
 9 nership, association, or corporation who or which, by any device,
 10 subterfuge, or pretense whatsoever shall charge, contract for,
 11 or receive greater interest, consideration, or charges than is an-
 12 thorized by this act for any such loan, use, or forbearance of

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13 money, goods, or things in action or for any such loan, use, or
 14 sale of credit.

15 No loan of the amount or value of three hundred dollars or
 16 less for which a greater rate of interest, consideration, or
 17 charges than is permitted by this act has been charged, con-
 18 tracted for, or received, wherever made, shall be enforced in
 19 this state and every person in anywise participating therein
 20 in this state shall be subject to the provisions of this act.

Sec. 19. Any person, copartnership, association or corpora-
 2 tion and the several members, officers, directors, agents, and
 3 employees thereof, who shall violate or participate in the viola-
 4 tion of any of the provisions of sections one, eleven, twelve,
 5 thirteen, fourteen, or eighteen, of this act, shall be guilty of a
 6 misdemeanor, and upon conviction thereof shall be punished by
 7 a fine of not more than five hundred dollars, or by imprison-
 8 ment of not more than six months, or by both such fine and im-
 9 prisonment, in the discretion of the court.

10 Any contract of loan not invalid for any other reason, in the
 11 making or collection of which any act shall have been done
 12 which constitutes a misdemeanor under this section, shall be
 13 void and the lender shall have no right to collect or receive any

14 principal, interest, or charges whatsoever.

Sec. 20. This act shall not apply to any person, copartner-
 2 ship, association, or corporation doing business under and as
 3 permitted by any law of this state or of the United States re-
 4 lating to banks, savings banks, trust companies, building and
 5 loan associations, credit unions, licensed pawnbrokers or to any
 6 person, copartnership, association or corporation engaged ex-
 7 clusively in financing, refinancing and making loans on auto-
 8 motive vehicles.

Sec. 21. The commissioner is hereby authorized and em-
 2 powered to make such general rules and regulations and such
 3 specific rulings, demands, and findings as may be necessary for
 4 the proper conduct of such business and the enforcement of this
 5 act, in addition hereto and not inconsistent herewith.

6 All money collected by the commissioner under any provision
 7 of this act shall be paid into the state treasury and kept as a
 8 special fund, designated "Small Loan Law Fund", and shall
 9 be used only for the payment of the expense of the administra-
 10 tion of this act. The commissioner from time to time shall
 11 certify to the state auditor the expense incurred in such ad-

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12 ministration, and the auditor shall issue his warrant therefor
 13 on the state treasurer payable out of the said fund.

Sec. 22. This act or any part thereof may be modified,
 2 amended, or repealed so as to effect a cancellation or alteration
 3 of any license or right of a licensee hereunder: *Provided*, That
 4 such cancellation or alteration shall not impair or affect the
 5 obligation of any preexisting lawful contract between any licen-
 6 see and any borrower.

Sec. 23. Any person, copartnership, association or corpora-
 2 tion having a license under said article seven, chapter forty-
 3 seven, of the code of West Virginia, one thousand nine hundred
 4 thirty-one, in force when this act becomes effective, shall notwith-
 5 standing the repeal of the said article seven, chapter forty-
 6 seven, of said code, be deemed to have a license under this act
 7 for a period expiring six months after the said effective date,
 8 if not sooner revoked: *Provided*, That no such existing license
 9 shall continue in effect after the expiration date of such license,
 10 unless such person, copartnership, association or corporation
 11 shall pay or cause to be paid to the commissioner a license fee
 12 at the rate of one hundred dollars per year for that portion of
 13 said six months period extending beyond the expiration date of



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14 such license, and shall keep on file with the commissioner dur-
 15 ing such six months period the bond required either by this act
 16 or by the said article seven, chapter forty-seven of the code of
 17 West Virginia, one thousand nine hundred thirty-one. Any such
 18 license so continued in effect under the provisions of this act
 19 shall, prior to its expiration date, be subject to revocation as
 20 provided in said article seven, chapter forty-seven of the code
 21 of West Virginia, one thousand nine hundred thirty-one, and
 22 thereafter during such six months period as provided in section
 23 nine of this act, except that it may not be revoked during such
 24 six months period either upon the ground that such licensee has
 25 not the minimum amount of assets required in section six of
 26 this act, or upon the ground that the convenience and advan-
 27 tage of such community will not be promoted by the operation
 28 therein of such business.

Sec. 24. Any defendant may plead in general terms that
 2 the contract or assurance on which the action is brought was
 3 for the payment of interest at a rate prohibited by this act, to
 4 which plea the plaintiff shall reply generally, but may give in
 5 evidence upon the issue made up thereon any matter which
 6 could be given in evidence under a special replication. Under

7 the plea aforesaid, the defendant may give in evidence any
 8 facts showing or tending to show that the contract, assurance
 9 or other writing upon which the action was brought, was for a
 10 consideration which is usurious under this act. Upon such plea
 11 the court shall direct a special issue to try and ascertain: (a)
 12 whether or not the contract, assurance or other writing is so
 13 usurious; (b) what amount, if any, of principal and interest
 14 has been paid by the defendant to the plaintiff thereunder. If
 15 a verdict be found for the defendant upon the plea of usury,
 16 judgment shall be rendered for the defendant and he shall re-
 17 cover from the plaintiff and have judgment for all such prin-
 18 cipal and interest he has paid the plaintiff.

Sec. 25. If any person pay any sum or thing as principal or
 2 interest under any contract or assurance prohibited by this act,
 3 he may recover the full amount of such sum or such thing from
 4 the person with whom the contract was made or to whom the
 5 assurance was given; and it may be so recovered from such
 6 person notwithstanding the payment thereof to his endorsee or
 7 assignee.

Sec. 26. Article seven, chapter forty-seven, of the code of
 2 West Virginia, one thousand nine hundred thirty-one, and all

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3 acts and parts of acts inconsistent with the provisions of this
4 act, are hereby repealed.

5 Nothing herein contained shall be so construed as to impair
6 or affect the obligation of any contract of loan between any
7 licensee under the said article seven, chapter forty-seven, of the
8 code of West Virginia, one thousand nine hundred thirty-one,
9 and any borrower, which was lawfully entered into prior to the
10 effective date of this act.

Sec. 27. If any clause, sentence, section, provision or part
2 of this act shall be adjudged to be unconstitutional or invalid
3 for any reason by any court of competent jurisdiction, such
4 judgment shall not impair, affect, or invalidate the remainder
5 of this act, which shall remain in full force and effect there-
6 after.

CORRECTLY ENROLLED

James G. Smith
Chairman Senate Committee.

James G. Smith
Chairman House Committee.

B. M. Stiner
Speaker of the House of Delegates

John S. Hall
Clerk of the House of Delegates.

A. M. Mauney
President of the Senate.

David D. Smith
Clerk of the Senate.

The within is.....

this.....day of....., 1933.

Filed in the office of the Secretary of State
of West Virginia.

Wm. S. O'Brien
Secretary of State

Governor.