ENROLLED BILL
(SECOND EXTRAORDINARY SESSION, 1933)

House Bill No. 190

(By Mr. Curl)

Passed February 21, 1934

In Effect Ninety Days from Passage
AN ACT to amend and reenact section two, article one, chapter thirty-nine of the code of West Virginia, one thousand nine hundred thirty-one, specifying what instruments are recordable.

Be it enacted by the Legislature of West Virginia:

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

Section 2. The clerk of the county court of any county in which any deed, contract, power of attorney, or other writing is to be, or may be, recorded, shall admit the same to record in his office, as to any person whose name is signed thereto, when it shall have been acknowledged by him, or proved by two witnesses as to him, before such clerk of the county court.
7 But notwithstanding such acknowledgment or proof, such clerk shall not admit to record any contract, deed, deed of trust, mortgage or other instrument that secures the payment of any debt, unless such contract, deed, deed of trust, mortgage, or other instrument sets forth therein who, at the time of the execution and delivery thereof, is the beneficial owner of the debt secured thereby, and where he resides: Provided, however, That in the case of a mortgage or a deed of trust securing an issue of negotiable notes or bonds exceeding five in number and payable to bearer, it shall not be necessary that the mortgage or deed of trust show who are the beneficial owners of such notes or bonds, but in such case such mortgage or deed of trust shall show the name and address of the person or corporation with or by whom the notes or bonds have been, or are to be, first negotiated.

All acts or parts of acts inconsistent with this act are hereby repealed.
Enrolled H. B. No. 190]

Speaker of the House of Delegates.

Clerk of the House of Delegates.

President of the Senate.

Clerk of the Senate.

The within is

this..................day of.................................., 1934.

Governor.

Filed in the office of the Secretary of State
of West Virginia MAR 1 1934
Wm. S. O'Brien,
Secretary of State