

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1935



ENROLLED

HOUSE BILL No. 291

(By Mr. Stouss)



PASSED March 9<sup>th</sup> 1935

In Effect from Passage

291

**ENROLLED**  
**House Bill No. 291**

(BY MR. STROUSS)

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[Passed March 9, 1935; in effect from passage.]

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AN ACT to permit the circuit courts of the state to charge off any account in the hands of its general receiver, whose owners are unknown or deceased without heirs or possibility of being claimed, and the application thereof to any loss or depreciation on the investments in the hands of such general receiver.

*Be it enacted by the Legislature of West Virginia:*

That a new section be added to article six, chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, to be known as section fourteen, the same to read as follows:

Section 14. Whenever it shall appear to any circuit court  
2 that any fund in its charge and in the hands of its general  
3 receiver, for a period of at least twenty years, will, in all  
4 probability, never be claimed by any one entitled thereto, the

5 court may order such fund applied to any loss of or shrinkage  
6 in the investments of such general receiver due to economic  
7 condition, and may release such general receiver from any  
8 further liability on account of such fund so in his hands.

9 But before entering any such order, the court shall cause  
10 a notice of such intention to be given by the clerk of said court  
11 by publication thereof once a week for three successive weeks  
12 in some newspaper of general circulation in said county, and  
13 if no claimant shall appear and establish a right to said fund  
14 within one year from the date of the last publication thereof,  
15 the court may take said facts to have been fully established,  
16 and shall so apply said fund.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Clinton L. Howard*

Chairman Senate Committee

*Arnold M. Tickers*

Chairman House Committee

Originated in the *House*

Takes effect *from* passage.

*Charles M. ...*

Clerk of the Senate

*Geo. S. Hall*

Clerk of the House of Delegates

*Chas. E. Hodges*

President of the Senate

*John H. ...*

Speaker House of Delegates.

The within *is approved* this the *15<sup>th</sup>*

day of *March*, 1935.

*W. S. O'Brien*

Governor.

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

**MAR 15 1935**  
Wm. S. O'BRIEN,  
Secretary of State