WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

HOUSE BILL No. 111

(By Mr. La For)

PASSED March 13, 1937

In Effect from Passage
ENROLLED

House Bill No. 111
(By Mr. LaFon)

(Passed March 15, 1937; in effect from passage.)

AN ACT to amend and reenact section fourteen, article one, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, relating to appraisal of estates.

Be it enacted by the Legislature of West Virginia:

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

Section 14. Appraisal of Estates. The real and personal estate of every deceased person shall be appraised as follows: The court or clerk by whose order any person is authorized to act as personal representative shall, upon the qualification of such personal representative, appoint not less than three nor more than five appraisers, any three of whom
7 may act, in the county in which the will of the deceased is
8 probated or administration is granted upon his estate, and a
9 like number in every other county in which there may be any
10 real or personal estate of the deceased. Such appraisers, af-
11 ter first taking an oath for the purpose, shall list and ap-
12 praise at its real and actual value all the real estate and all
13 the tangible property of every description owned by the de-
14 ceased at the time of his death and located in their respective
15 counties, and they shall also list and appraise all his intangi-
16 ble property of every description, including moneys, credits,
17 investments, annuities, insurance policies, judgments, and
18 decrees for moneys, notes, bonds, accounts and all other evi-
19 dences of debt, whether owing to him by persons or corpor-
20 ations in or out of the state, and the number and value, in-
21 cluding both the par value, if any, and the actual value, of
22 any shares of capital stock owned by him in any corporation,
23 whether located in this state or elsewhere. Such appraisers
24 shall designate such intangible property as good, bad or doubt-
25 ful as to them may appear to be correct, and by whom owing
26 and when payable, and from what time such of them as are in-
27 terest-bearing bear interest. Every note, bond or evidence of
debt shall have endorsed thereon the word "appraised", un-
der which each acting appraiser shall sign his name. No
judgment shall be rendered by any of the courts of this
state upon such note, bond or evidence of debt unless and
until the same shall be first shown to have been listed by the
appraisers: Provided, however, That any note, bond or evi-
dence of debt which bears the endorsement by the appraisers,
as above required, shall need no further proof that the same
was listed. The several appraisements and lists aforesaid
shall be executed in duplicate and shall be signed by the ap-
praisers who made the same, and be forthwith returned to the
commissioner of accounts to whom the estate of such deceased
person has been referred as provided in section one, article
two of this chapter. Said commissioner of accounts shall in-
spect such appraisements, see that the same are in proper
form, and, within ten days after they are received and ap-
proved by him, deliver one copy of the same to the clerk of
the county court, who shall record the same, with the certifi-
cate of approval, and mail one copy of the same to the tax
commissioner of West Virginia. The date of return of an
appraisal shall be entered by such clerk in his record of
Every such appraisement and list shall be prima facie evidence of the value of the estate embraced therein, and that the personal estate embraced therein came to the hands of the personal representative. Such appraisers shall each receive a fee of not less than one dollar nor more than five dollars per day, to be fixed by said commissioner in accordance with the amount of the estate and the work involved in making the appraisement, and their actual expenses necessarily incurred in making such appraisement, and such fees and expenses and the commissioner’s approval thereof shall be noted in the commissioner’s certificate. No person shall be permitted by any means whatsoever to avoid the appraisement and listing of his estate as herein provided, nor shall his personal representative be permitted to do so. Any personal representative who fails, refuses or declines to comply with the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars nor more than five hundred dollars.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the

Takes effect

passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within this the

day of , 1937.

Governor.

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