

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. 109

(By Mr. Lafon)



PASSED March 13, 1937

In Effect from Passage

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House Bill No. 109

(By MR. LAFON)

[Passed March 13, 1937; in effect from passage.]

AN ACT to amend and reenact section one, article four, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, relating to accounting by fiduciaries and the filing of inventories and appraisements.

Be it enacted by the Legislature of West Virginia:

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

Section 1. Every personal representative, guardian, curator, or committee, shall, within two months after the date of the order conferring his authority or qualifying him, return to the commissioner of accounts to whom the estate or trust has been referred, an inventory, executed in duplicate, in proper form, of all the personal and real estate which has

7 come to his possession or knowledge, or which is under his
8 management or subject to his authority in his fiduciary
9 character; and shall, within two months after any other such
10 estate shall come to his possession or knowledge, return to
11 such commissioner a further inventory thereof, in duplicate.
12 If any fiduciary shall fail to make the return herein first
13 mentioned, or such commissioner shall have reason to believe
14 that a fiduciary has failed to make the further return herein
15 required, such commissioner of accounts shall summon such
16 fiduciary to make a return as to which he appears to be de-
17 linquent; and if such return be not made within thirty days
18 after the date of service of the summons, such commissioner
19 shall make report of the fact to the circuit court of the coun-
20 ty, or to the judge thereof in vacation, as soon as possible,
21 and shall cause such fiduciary to be summoned to appear be-
22 fore such court, or judge in vacation, on a day to be fixed by
23 the court or judge, and the attendance of such fiduciary may
24 be compelled by rule, and attachment. Such fiduciary upon
25 appearing shall, unless excused for sufficient reason, be fined
26 by the court not less than fifty nor more than five hundred
27 dollars, and be ordered by the court to make such return

28 within a time to be specified by the court, and if he fails to
29 comply with such order he shall be deemed guilty of con-
30 tempt of court and be dealt with accordingly. An appraise-
31 ment of an estate as required by law shall be considered such
32 an inventory as is required by this section if it be signed by
33 the personal representative.

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

Carl B. Galbreath

Chairman Senate Committee

Lee S. Baker

Chairman House Committee

Originated in the.....

Takes effect..... passage.

Charles J. ...

Clerk of the Senate

Geo. S. Hance

Clerk of the House of Delegates

Chas. E. Hooper

President of the Senate

J. K. ...

Speaker House of Delegates

The within *Approved* this the *29*

day of *March*, 1937.

James A. ...

Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 19 1937**
Wm. S. O'BRIEN,
Secretary of State