

Correct Copy *Correct Copy*

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

SENATE BILL No. 196

(By Mr. La Fow, Mr. President)

PASSED March 9 1939

In Effect Ninety days from Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.

This reenrolled copy received

WILLIAM S. O'BRIEN
SECRETARY OF STATE

196

ENROLLED

Senate Bill No. 196

(By MR. LAFON, MR. PRESIDENT)

[Passed March 9, 1939; in effect ninety days from passage.]

AN ACT to amend and reenact sections thirty-one and thirty-three, article two, chapter thirty-eight of the code of West Virginia, one thousand nine hundred thirty-one, relating to laborers' liens against corporations.

Be it enacted by the Legislature of West Virginia:

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

Section 31. *Laborer's Lien Against Corporation; Priority.*

- 2 Every workman, laborer or other person who shall do or per-
- 3 form any work or labor, for an incorporated company doing

4 business in this state, by virtue of a contract either directly
5 with such incorporated company or with its general contractor,
6 or with any sub-contractor, shall have a lien for the value of
7 such work or labor upon all real estate and personal property
8 of such company; and to the extent and value of one month's
9 such work or labor, said lien shall have priority over any lien
10 created by deed or otherwise, on such real estate or personal
11 property subsequent to the time when such work or labor
12 was performed: *Provided, however,* That there shall be no
13 priority of lien as against conditional sales of, or reservation
14 of title to, machinery sold to such company; nor shall there
15 be priority of lien as between the parties claiming under the
16 provisions of this section.

Sec. 33. *Record by Clerk in Cases of Laborer's Lien Against*
2 *a Corporation.* The clerk of the county court to whom the
3 notice of lien mentioned in the preceding section is presented,
4 shall record the same in the mechanic's lien record. If the
5 amount of the claim is for more than one month's work or
6 labor, the record shall show, separately, the full amount of the
7 claim and in addition thereto the amount of the claim for such
8 month for which such prior lien is claimed.

9 If any part or parts of this act shall be held to be unconsti-
10 tutional or invalid for any reason such unconstitutionality
11 or invalidity shall not affect the validity of the remaining
12 parts of this act. The Legislature hereby declares that it
13 would have passed the remaining parts of this act if it had
14 known that such part or parts thereof would be declared
15 unconstitutional or invalid.

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

E. O. Wiseman

Chairman Senate Committee

Will D. Stalder

Chairman House Committee

Originated in the

Senate

Takes effect

Ninety days from

passage

Charles J. Finney

Clerk of the Senate

Geo. Hall

Clerk of the House of Delegates

Wm. W. Patton

President of the Senate

James L. Thomas

Speaker House of Delegates

The within.....this the.....

day of....., 1939.

.....
Governor



This recorded copy received.
[Signature]