

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943



# ENROLLED

HOUSE BILL No. 232

(By Mr. Reed)



PASSED March 12, 1943

In Effect from Passage

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**ENROLLED**  
**House Bill No. 232**

(BY MR. REED)

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[Passed March 12, 1943; in effect from passage.]

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AN ACT to amend and reenact section one, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, providing for reference of an estate of decedent to a commissioner of accounts.

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

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

**Article 2. Proof and Allowance of Claims Against Estates of Decedents.**

Section 1. *Estate of Decedent to Be Referred to a Commissioner of Accounts.*—Upon the qualification of any personal representative, the estate of his decedent shall, by order of the county court to be then made, be referred to a commissioner of accounts for proof and determina-

6 tion of debts and claims, establishment of their priority,  
7 determination of the amount of the respective shares of  
8 the legatees and distributees, and any other matter neces-  
9 sary and proper for the settlement of the estate: *Provided*,  
10 That in counties where there are two or more such com-  
11 missioners, the estates of decedents shall be referred to  
12 such commissioners in rotation, in order that, so far as  
13 possible, there may be an equal division of the work:  
14 *Provided further*, That, if and when, the personal repre-  
15 sentative shall file with the clerk of the county court an  
16 appraisalment of the estate, showing its value to be two  
17 hundred dollars or less, then proceedings before the com-  
18 missioner of accounts shall not be necessary, but the per-  
19 sonal representative shall, within two months from his  
20 appointment, file with the county clerk his report of re-  
21 ceipts and disbursements, and, unless some creditor or  
22 heir shall within thirty days thereafter show good cause  
23 why the report is not correct, the personal representative  
24 and his bondsman shall be discharged.

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

R. F. Johnson  
Chairman Senate Committee

Fred L. Rotteff  
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Fred B. Watkins  
Clerk of the Senate

J. Ruff  
Clerk of the House of Delegates

James Paul  
President of the Senate

John E. Cusack  
Speaker House of Delegates

The within approved this the 19th  
day of March, 1943.

Matthew M. Neely  
Governor.

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Filed in the office of the Secretary of State  
of West Virginia MAR 19 1943

Wm. S. O'BRIEN,  
Secretary of State