

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1945



ENROLLED

HOUSE BILL No. 30

(By Mr. Davis by Request)



PASSED July 8<sup>th</sup> 1945

In Effect 90 days — Passage

30

**ENROLLED**

**House Bill No. 30**

(By MR. DAVIS, by request)

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[Passed February 8, 1945; in effect ninety days from passage.]

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AN ACT to amend and reenact section eleven, article one, chapter thirty-seven of the code of West Virginia, one thousand nine hundred thirty-one, relating to summary proceedings by petition for sale, lease or mortgage of the estate of a minor, insane person or convict.

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

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

Section 11. *Summary Proceedings on Petition for Sale, Lease or Mortgage of the Estate of Minors, Insane Persons, or Convicts.*—In addition to the proceedings authorized by the second section of this article, the guardian of any minor, or the committee of any insane person or convict, if he deem that the interests of his ward or insane

7 person or convict will be promoted by a sale, lease or  
8 mortgage of, or trust deed upon, his estate, or of any  
9 estate in which he with others, infants or adults, is inter-  
10 ested, whether the estate of the minor, or insane person  
11 or convict, or of any of the other persons interested, be  
12 absolute or limited, and whether there be or be not lim-  
13 ited thereon any other estate, vested or contingent, may  
14 apply by petition, in a summary way, to the circuit court,  
15 or to the judge thereof in vacation, or to any court of con-  
16 current jurisdiction with the circuit court, or to the judge  
17 thereof in vacation, of the county in which the estate  
18 proposed to be sold, leased or encumbered, or some part  
19 thereof may be, describing all the estate, real and per-  
20 sonal, belonging to the minor, or insane person or con-  
21 vict and setting forth plainly all the facts calculated to  
22 show the propriety of the sale, lease, mortgage, or deed of  
23 trust. The petition shall be verified by the oath of the  
24 plaintiff, and all persons interested shall be made defend-  
25 ants, and ten days' notice shall be given to such defend-  
26 ants before such petition can be heard.

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

*Charles C. Morris*  
Chairman Senate Committee

*J. Ade Snyper, Jr.*  
Chairman House Committee

Originated in the House

Takes effect 90-days passage.

*Thomas Hayes*  
Clerk of the Senate

*J. Bliff*  
Clerk of the House of Delegates

*Arnold D. Tucker*  
President of the Senate

*John E. Rouse*  
Speaker House of Delegates

The within Approved this the 13<sup>th</sup>

day of February, 1945.

*Boacee Madaw*  
Governor.



Filed in the office of the Secretary of State  
of West Virginia **FEB 13 1945**  
Wm. S. ...  
Secretary of State