

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1945

---

ENROLLED

SENATE BILL No. 126

(By Mr. Jackson)

PASSED February 26 1945

In Effect 90-days from Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.



126

**ENROLLED**  
**Senate Bill No. 126**

(BY MR. JACKSON)

---

[Passed February 26, 1945; in effect ninety days from passage.]

---

AN ACT to amend article two, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto a new section to be designated section one-a, relating to possession of the surface of land where minerals and appurtenant rights have been or may hereafter be severed.

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

That article two, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, be amended by adding thereto a new section to be designated section one-a, to read as follows:

Section one-a. Wherever title to any minerals in land  
2 and the rights appurtenant thereto have been, or shall  
3 hereafter be, severed from title to the surface, the con-  
4 tinuity of the possession of such minerals and the rights  
5 appurtenant thereto shall not be deemed to have been  
6 broken by such severance; and ownership or possession  
7 of the surface after severance shall not be adverse to the  
8 interests of the owner or owners of such minerals and  
9 appurtenant rights.

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

*Charles C. Morris*  
Chairman Senate Committee

*J. A. DeLoach*  
Chairman House Committee

Originated in the Senate

Takes effect 90-days from passage

*Howard Tegen*  
Clerk of the Senate

*Staff*  
Clerk of the House of Delegates

*Donald M. Vickere*  
President of the Senate

*John E. Arnos*  
Speaker House of Delegates

The within Approved this the 2<sup>nd</sup>  
day of March, 1945.

*Walter Madsen*  
Governor.



Filed in the office of the Secretary of State  
of West Virginia MAR 2 1945

Wm. S. O'BRIEN,  
Secretary of State