

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1945

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ENROLLED

SENATE BILL No. 189

(By Mr. Morrison, By Request.

PASSED March 9 1945

In Effect 90-days from Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.



189

**ENROLLED**  
**Senate Bill No. 189**  
(BY MR. MORRISON, BY REQUEST)

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[Passed March 9, 1945; in effect ninety days from passage.]

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AN ACT to amend and reenact section thirty-eight, article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the publication of false advertisements and providing penalties for violations thereof.

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

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

Section 38. Any person, firm, corporation or association, or their agents or employees, who, with intent to  
2 sell, or in any wise dispose of, merchandise, securities,  
3

4 service, or anything offered by such person, firm, cor-  
5 poration or association, directly or indirectly, to the pub-  
6 lic for sale or distribution, or with intent to increase the  
7 consumption thereof, or to induce the public in any man-  
8 ner to enter into any obligation relating thereto, or to  
9 acquire title thereto, or an interest therein, causes, direct-  
10 ly or indirectly, to be made, published, disseminated, cir-  
11 culated or placed before the public, in this state, in a  
12 newspaper or other publication, or in the form of a book,  
13 notice, handbill, poster, bill, circular, pamphlet or letter,  
14 or over any radio station, or in any other way, an adver-  
15 tisement of any sort regarding merchandise, securities,  
16 service or anything so offered to the public, which ad-  
17 vertisement contains any assertion, representation or  
18 statement of fact which is untrue and deceptive, shall be  
19 guilty of a misdemeanor, and, upon conviction thereof  
20, shall be punished by a fine of not less than ten nor more  
21 than one hundred dollars, and such violation, by an agent  
22 or employee, shall be deemed an offense as well by the  
23 principal or employer, and they may be indicted for the  
24 same, either jointly or severally.

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

Charles C Morris  
Chairman Senate Committee

John C. Ingham  
Chairman House Committee

Originated in the Senate

Takes effect 90-days from passage

Thomas M. Sizoo  
Clerk of the Senate

John Bluff  
Clerk of the House of Delegates

Arnold W. Tickers  
President of the Senate

John E. Amos  
Speaker House of Delegates

The within Approved this the 14<sup>th</sup>  
day of March, 1945.

Robert M. Madsen  
Governor.

Filed in the office of the Secretary of State  
of West Virginia

MAR 15 1945

Wm. S. O'BRIEN,  
Secretary of State

