

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1945

ENROLLED

SENATE BILL No. 48

(By Mr. Harmer)

PASSED February 20 1945

In Effect 90-days from Passage



48

ENROLLED
Senate Bill No. 48
(BY MR. HARMER)

[Passed February 20, 1945; in effect ninety days from passage.]

AN ACT to amend and reenact section six, article six, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, relating to bonds of general court receivers.

Be it enacted by the Legislature of West Virginia:

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

Section 6. *Receiver's Bond.*—Said general receiver
2 shall receive or accept no money or securities until he
3 shall have given bond with good security approved by the

4 court or the judge thereof in vacation, conditioned as
5 provided for official bonds, and in such penalty as the
6 said court or judge may prescribe, but sufficient at least
7 to cover the probable amount of money and securities
8 that may come into his possession. If at any time it
9 appears to the said court or judge that the penalty of
10 the bond or bonds is not sufficient to cover the probable
11 amount of money and securities that may come into the
12 possession of the general receiver, or that for any reason,
13 new or additional bonds should be given by him, the
14 said court or the judge thereof in vacation shall require
15 the said general receiver to immediately give new or
16 additional bonds in such penalty as the said court or
17 judge may prescribe. The said general receiver shall
18 not receive or accept any money or securities in excess of
19 the penalty of the bonds given by him as aforesaid and
20 remaining in full force and virtue.

21 If the said general receiver shall give bond as aforesaid
22 with an indemnity or surety company having an un-
23 revoked license or permit from the insurance commis-
24 sioner authorizing it to engage or continue in business

25 in this state, as surety thereon, the premiums for effect-
26 ing or continuing such bond shall be treated as a cost or
27 expense of administering the said receivership estate,
28 and paid by the said general receiver out of the funds in
29 his hands as ordered by the said court or judge.

30 In the event the said general receiver shall give any
31 bond as aforesaid with a surety who is not an indemnity
32 or surety company as aforesaid, he shall give a new
33 bond at least once in every two years after his appoint-
34 ment, and at the time of giving such new bond the surety
35 or sureties thereon shall appear before the said court
36 or judge and be examined under oath in order that the
37 said court or judge may determine the sufficiency of the
38 surety on the said bond.

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

Charles C. Morris
Chairman Senate Committee

J. Ade Gustafson
Chairman House Committee

Originated in the Senate

Takes effect 90-days from passage
Howard Teague
Clerk of the Senate

Rebliff
Clerk of the House of Delegates

Donald M. Tucker
President of the Senate

John E. Quinn
Speaker House of Delegates

The within Approved this the 22
day of February, 1945.

Carroll Rousso
Governor.



Filed in the office of the Secretary of State
of West Virginia FEB 22 1945

Wm. S. O'BRIEN, <
Secretary of State