

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1949

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ENROLLED

SENATE BILL No. 133

*Originating in the*  
(By Mr. Committee on)  
*the Judiciary.*

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PASSED March 7. 1949

In Effect 90 days from Passage



133

**ENROLLED**  
COMMITTEE SUBSTITUTE FOR  
**Senate Bill No. 133**

(Originating in the Committee on the Judiciary.)

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[Passed March 7, 1949; in effect ninety days from passage.]

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AN ACT to amend and reenact section twelve, article two, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, relating to the limitation of time within which certain personal actions shall be commenced.

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

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

Section 12. *Personal Actions Not Otherwise Provided*

2 *For.*—Every personal action for which no limitation is  
3 otherwise prescribed shall be brought (a) within two

4 years next after the right to bring the same shall have  
5 accrued, if it be for a matter of such nature that, in case  
6 a party die, it can be brought by or against his repre-  
7 sentative; and (b) if it be for a matter not of such nature,  
8 shall be brought within one year next after the right  
9 to bring the same shall have accrued, and not after;  
10 and (c) every right of action mentioned above in clause  
11 (a) heretofore accrued shall be brought within two years  
12 hereafter or within five years from the time such action  
13 accrued, whichever shall be less.

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

*Joseph L. Mencer*  
Chairman Senate Committee

*W. Matthews*  
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

*Howard Myers*  
Clerk of the Senate

*J. Aslip*  
Clerk of the House of Delegates

*Joseph H. Houston*  
President of the Senate

*W. E. Harman*  
Speaker House of Delegates

The within Approved this the 12th  
day of March, 1949.

*Okey L. Patton*  
Governor.



Filed in the Office of the Secretary of State  
of West Virginia  
**MAR 14 1949**  
D. PITT O'BRIEN,  
SECRETARY OF STATE