

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951

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ENROLLED

SENATE BILL NO. 252

(By Mr. Love.....)

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PASSED March 10,..... 1951

In Effect Ninety days from..... Passage



**ENROLLED**

**Senate Bill No. 252**

(By MR. LOVE)

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[Passed March 10, 1951; in effect ninety days from passage.]

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AN ACT to amend article five, chapter forty-one, of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section to be designated section twenty, relating to rights of devisees and bona fide purchasers of real estate devised by wills.

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

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

Section 20. *Title to Real Estate Devised by Wills; Rights of Devisees and Bona Fide Purchasers.*—The title of a bona fide purchaser of real estate, without notice and for

4 valuable consideration, from the devisee or devisees of a  
5 testator, a will of whom has been duly admitted to pro-  
6 bate devising such real estate, shall not be affected or  
7 impaired by any devise or other disposition of any such  
8 real estate by the testator by or in any other will or wills  
9 executed by him subsequent to the instrument already  
10 admitted to probate as his last will and testament, unless  
11 any such subsequently executed will (or if any such  
12 will has been probated without the state, an authenticated  
13 copy thereof) shall be filed for probate in the court  
14 having jurisdiction for that purpose, or with the clerk  
15 thereof, within one year next after the testator's death  
16 and shall afterwards be admitted to probate as the will  
17 of such real estate and entered of record in the proper  
18 clerk's office: *Provided, however,* That if any devisee  
19 under any such subsequently executed will is at the  
20 time of the testator's death an infant, or insane, or a con-  
21 vict, the limitation created by this section shall not affect  
22 the rights of any such infant, insane person or convict  
23 until after the expiration of one year from the removal  
24 of such disability.

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

*Robert C. Byrd*

Chairman Senate Committee

*James M. Loop*

Chairman House Committee

Originated in the Senate.

Takes effect Ninety days from passage.

*Howard Meyer*

Clerk of the Senate

*J. R. Giff*  
Clerk of the House of Delegates

*W. Raleigh Hunter*

President of the Senate

*W. E. Flamm*

Speaker House of Delegates

The within approved this the 16th  
day of March, 1951.

*Clay L. Patton*  
Governor.



of West Virginia. **MAR 16 1951**  
D. PITT O'BRIEN,  
SECRETARY OF STATE