WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1951

ENROLLED
SENATE BILL NO. 252

(By Mr. Love)

PASSED March 10, 1951

In Effect Ninety days from Passage
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
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valuable consideration, from the devisee or devisees of a
testator, a will of whom has been duly admitted to pro-
bate devising such real estate, shall not be affected or
impaired by any devise or other disposition of any such
real estate by the testator by or in any other will or wills
executed by him subsequent to the instrument already
admitted to probate as his last will and testament, unless
any such subsequently executed will (or if any such
will has been probated without the state, an authenticated
copy thereof) shall be filed for probate in the court
having jurisdiction for that purpose, or with the clerk
thereof, within one year next after the testator's death
and shall afterwards be admitted to probate as the will
of such real estate and entered of record in the proper
clerk's office: Provided, however, That if any devisee
under any such subsequently executed will is at the
time of the testator's death an infant, or insane, or a con-

c
vict, the limitation created by this section shall not affect
the rights of any such infant, insane person or convict
until after the expiration of one year from the removal
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 D. Love
Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

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

[Signature]
Governor.

By virtue of the authority vested in me as Governor of West Virginia by the Constitution of said State, I hereby approve this Act.

[Signature]
D. Pitt O'Brien
Secretary of State

MAR 16, 1951