WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953

ENROLLED

HOUSE BILL No. 172

(By Mr. ... and Mr. ...)

PASSED March 4, 1953

In Effect Thirty days from Passage
AN ACT to amend and reenact section eleven, article one, chapter forty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to recordation of contracts, deeds, trust deeds and mortgages in county to which property removed from other county and state, notice required upon removal of goods and chattels mentioned therein.

Be it enacted by the Legislature of West Virginia:

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

Section 11. Recordation of Contracts, Deeds, Trust Deeds, and Mortgages in County to Which Property Removed from Other County and State; Notice Required.—Any goods or chattels mentioned in such writing shall not be removed from any county wherein such writing
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6 is recorded, or from another state into a county in this
7 state, where such writing is not admitted to record, prior
8 to the performance of the provisions contained therein,
9 except for temporary uses for a period of not more than
10 thirty days, unless the owner, not less than ten days be-
11 fore such removal, shall give the person or persons se-
12 cured thereby or otherwise interested therein, or the
13 guardian or committee of any infant or insane person
14 secured thereby or otherwise interested therein, person-
15 ally or by registered mail written notice of the place to
16 which the goods or chattels are to be removed and the
17 approximate time of such intended removal. Unless such
18 writing, or a copy thereof, is admitted to record in the
19 county to which the property is so removed, within ten
20 days after receipt of the above written notice, or receipt
21 of actual notice of such removal, such writing, shall as
22 to the property so removed, be void as to such creditors
23 or purchasers until recorded in such last mentioned
24 county. If any such property is so removed without the
25 giving of such notice, the person or persons so secured
26 or otherwise interested therein, including any such guar-
dian or committee, may take possession of such goods and
chattels and deal with them as in case of any other default
under the terms of such writing.

The above provisions of this section shall not apply,
however, to equipment or rolling stock of railroad or
street, or interurban railway, or of commercial watercraft
or barges, or any equipment thereon, however, any such
writing conveying any such equipment shall be void as
to any creditors or purchasers thereof unless the writing
shall be acknowledged in like manner as a deed for real
property, and the writing or a copy thereof, be filed in
the office of the secretary of state.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect thirty days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 11th day of March, 1953.

Governor

Filed in the Office of the Secretary of State

MAR 11 1953

D. Pitt O'Brien,
Secretary of State