

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953

ENROLLED

SENATE BILL NO. 14

(By Mr. Love)

PASSED February 13 1953

In Effect ninety days from Passage

FILED IN THE OFFICE OF THE SECRETARY OF STATE
OF WEST VIRGINIA

FEB 18 1953

D. PITT O'BRIEN,

SECRETARY OF STATE

14

ENROLLED

Senate Bill No. 14

(By MR. LOVE)

[Passed February 13, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty, article four, chapter thirty-eight of the code of West Virginia, one thousand nine hundred thirty-one, relating to notices and sales upon distrains and levies.

Be it enacted by the Legislature of West Virginia:

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

Section 20. *Distrains and Levies; Notices and Sales thereon.*—In any case where an officer shall distrain or levy upon personal property, otherwise than under an execution or order issued by a justice, or under an at-

5 tachment, and in any case in which he may be directed
6 to sell personal property by an order of a court or judge,
7 unless such order prescribes a different course, he shall
8 fix upon a time and place for the sale thereof, and publish
9 notice of such sale at least ten days by posting the same
10 at the door of the courthouse of his county and some other
11 conspicuous place near the residence of the owner, if he
12 resides in the county: *Provided*, That any sheriff or other
13 officer proceeding to sell under a writ of fieri facias or
14 venditioni exponas, if the property be of the value of five
15 hundred dollars or more, shall advertise the sale for one
16 publication each week for two weeks in a newspaper in
17 his county, if one be published therein, the cost of which
18 advertisement shall not exceed the price prescribed in
19 section thirty-four, article one, chapter fifty-nine of this
20 code. If the property be perishable or expensive to keep,
21 it may be sold by order of the court, or the judge thereof
22 in vacation, upon such notice as the court or judge may
23 direct.

24 At the time and place so appointed the officer shall sell
25 to the highest bidder for cash, except as hereinafter pro-

26 vided in section twenty-three of this article, such personal
27 property, or so much thereof as may be necessary.

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

A. M. Shirley
Chairman Senate Committee

C. H. Ambler
Chairman House Committee

Originated in the Senate.

Takes effect *ninety days from* passage.

Thomas D. Myers
Clerk of the Senate

J. R. Hill
Clerk of the House of Delegates

Spers Bear
President of the Senate

W. E. Jamieson
Speaker House of Delegates

The within *approved* this the *18th* day of *February*, 1953.

William C. Marland
Governor.

