

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953

ENROLLED

SENATE BILL NO. 16

(By Mr. Love)

PASSED February 12th 1953

In Effect Ninety days from Passage

Filed in the Office of the Secretary of State
of West Virginia

FEB 17 1953

D. PITT O'BRIEN,
SECRETARY OF STATE

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Senate Bill No. 16

(By MR. LOVE)

[Passed February 12, 1953; in effect ninety days from passage]

AN ACT to amend and reenact section one, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to proceedings on reference of an estate of a decedent to a commissioner of accounts.

Be it enacted by the Legislature of West Virginia:

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

Section 1. *Reference of Decedents' Estates; Proceedings*

2 *Thereon.*—Upon the qualification of any personal repre-
3 sentative, the estate of his decedent shall, by order of the

4 county court to be then made, be referred to a commis-
5 sioner of accounts for proof and determination of debts
6 and claims, establishment of their priority, determina-
7 tion of the amount of the respective shares of the legatees
8 and distributees, and any other matter necessary and
9 proper for the settlement of the estate: *Provided*, That in
10 counties where there are two or more such commis-
11 sioners, the estates of decedents shall be referred to such
12 commissioners in rotation, in order that, so far as pos-
13 sible, there may be an equal division of the work: *Pro-*
14 *vided further*, That, if and when, the personal represent-
15 ative shall file with the clerk of the county court an ap-
16 praisement of the estate, showing its value to be one
17 thousand dollars or less, then proceedings before the com-
18 missioner of accounts shall not be necessary, but the
19 personal representative shall, within two months from
20 his appointment, file with the county clerk his report of
21 receipts and disbursements, and, unless some creditor or
22 heir shall within thirty days thereafter show good cause
23 why the report is not correct, the personal representative
24 and his bondsman shall be discharged.

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

A. M. Curley
Chairman Senate Committee

C. H. A. Aubler
Chairman House Committee

Originated in the Senate.

Takes effect *ninety days from* passage.

Edward Dwyer
Clerk of the Senate

W. E. Hoff
Clerk of the House of Delegates

Ralph Beane
President of the Senate

W. E. Hoffman
Speaker House of Delegates

The within *approved* this the *17th*

day of *February*, 1953.

William O. Marland
Governor.