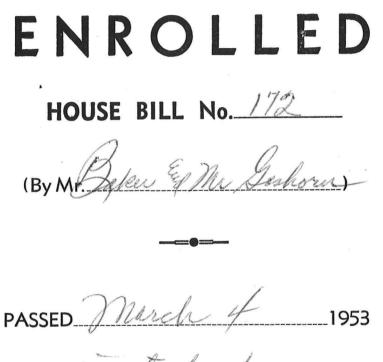
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



In Effect Munity days from Passage



ENROLLED House Bill No. 172

(By Mr. Baker and Mr. Goshorn)

[Passed March 4, 1953; in effect ninety 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
2 Deeds, and Mortgages in County to Which Property Re3 moved from Other County and State; Notice Required.—
4 Any goods or chattels mentioned in such writing shall
5 not be removed from any county wherein such writing

Enr. H. B. No. 172]

2

6 is recorded, or from another state into a county in this state, where such writing is not admitted to record, prior 7 to the performance of the provisions contained therein. 8 9 except for temporary uses for a period of not more than thirty days, unless the owner, not less than ten days be-10 fore such removal, shall give the person or persons se-11 12 cured thereby or otherwise interested therein, or the guardian or committee of any infant or insane person 13 secured thereby or otherwise interested therein, person-14 15 ally or by registered mail written notice of the place to 16 which the goods or chattels are to be removed and the approximate time of such intended removal. Unless such 17 writing, or a copy thereof, is admitted to record in the 18 county to which the property is so removed, within ten 19 days after receipt of the above written notice, or receipt 2021 of actual notice of such removal, such writing, shall as to the property so removed, be void as to such creditors 22 or purchasers until recorded in such last mentioned 23 county. If any such property is so removed without the 24 giving of such notice, the person or persons so secured 2526 or otherwise interested therein, including any such guardian 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.

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30 The above provisions of this section shall not apply, however, to equipment or rolling stock of railroad or 31 street, or interurban railway, or of commercial watercraft 32 or barges, or any equipment thereon, however, any such 33 writing conveying any such equipment shall be void as 34 35 to any creditors or purchasers thereof unless the writing 36 shall be acknowledged in like manner as a deed for real property, and the writing or a copy thereof, be filed in 37 38 the office of the secretary of state.

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Enr. H. B. No. 172]

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

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Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effec passage. 14 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.

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Willia C. marlo Governor

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