

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953

ENROLLED

SENATE BILL NO. 15

(By Mr. Lowe.....)

PASSED March 12.....1953

In Effect twenty days from.....Passage



ENROLLED

Senate Bill No. 15

(By MR. LOVE)

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

AN ACT to amend and reenact section thirteen, article one, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, relating to affidavit showing heirs, distributees, devisees and legatees of decedent.

Be it enacted by the Legislature of West Virginia:

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

Section 13. *Affidavit Showing Heirs, Distributees, Devisees and Legatees of Decedent.*—At the time of the qualification of an executor or administrator, the court or clerk before whom he qualifies shall require such

5 executor or administrator to file his own affidavit, or the
6 affidavit of some credible person, showing the names and,
7 as far as possible, the addresses of the persons who would
8 take any part of the estate of the decedent as heirs or
9 distributees in case of the intestacy of the decedent and
10 of the persons who are devisees and legatees under the
11 will, if any, of the decedent, and their relationship to de-
12 cedent, and the clerk of the court shall record such affi-
13 davit in the fiduciary record, which affidavit and the record
14 thereof shall be prima facie evidence of what is contained
15 therein. The personal representative shall not receive any
16 compensation for his services until such names and ad-
17 dresses be furnished by affidavit as aforesaid, unless he
18 shows by affidavit that such heirs, distributees, devisees
19 and legatees and their addresses are unknown to him
20 and that after diligent inquiry he has been unable to as-
21 certain their names and addresses.

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

A. M. Kealey
Chairman Senate Committee

A. W. Ambler
Chairman House Committee

Originated in the Senate.

Takes effect *ninety days from* passage.

J. Howard Meyers
Clerk of the Senate

J. A. Bliff
Clerk of the House of Delegates

Ralph B. Brown
President of the Senate

W. E. Taylor
Speaker House of Delegates

The within *approved* this the *16th* day of *March*, 1953.

William C. Maule
Governor.



FILED IN THE OFFICE OF THE SECRETARY OF STATE
OF THE COMMONWEALTH OF VIRGINIA
MAR 16 1953
D. PITT O'BRIEN,
SECRETARY OF STATE