WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

HOUSE BILL No. 314

(By Mr. [Signature])

PASSED Feb 20, 1957

In Effect 90 days from Passage
ENROLLED

House Bill No. 314
(By Mr. Moreland and Mr. Bachmann)

[Passed February 20, 1957; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen, article three, chapter forty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to conditional sales contracts.

Be it enacted by the Legislature of West Virginia:

That section fifteen, article three, 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 15. Injury, Destruction, Concealment, Removal, Encumbrance or Sale.—When, prior to the performance of the condition, the buyer, maliciously or with intent to defraud, shall injure, destroy or conceal the goods, or shall sell, mortgage or otherwise dispose of them under claim of full ownership, or maliciously or with intent to defraud shall remove them to another state or to a county in this state where the contract or a copy thereof is not
filed, he shall be guilty of a misdemeanor, if the amount
due on the goods so injured, destroyed, concealed, re-
moved, mortgaged, sold or otherwise disposed of is less
than fifty dollars, and, upon conviction thereof, shall be
imprisoned in the county jail for not more than one year,
or be fined not more than five hundred dollars, or both.
Where the amount due on the goods thus injured, de-
stroyed, concealed, removed, mortgaged, sold or other-
wise disposed of is greater than fifty dollars, the buyer
shall be guilty of a felony and, upon conviction thereof,
shall be fined not less than one hundred nor more than
one thousand dollars, or be imprisoned in the penitentiary
for not less than one year nor more than five years, or
both, in the discretion of the court. When, prior to the
performance of the condition, the buyer, without having
given the notice required by section thirteen of this ar-
ticle, but without malice and without intent to defraud,
shall remove such goods to another state or to a county
in this state where the contract or a copy thereof is not
filed, he shall be guilty of a misdemeanor, and, upon con-
viction thereof, shall be imprisoned in the county jail for
not more than one year, or be fined not more than five hundred dollars, or both. Any such removal without such notice having been given shall be deemed prima facie fraudulent.
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 90 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 second day of March, 1957.

Governor

Filed in the Office of the Secretary of State of West Virginia MAR 2 - 1957