

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1957

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**ENROLLED**

SENATE BILL NO. 301

(By Mr. Krustin)

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PASSED March 4 1957

In Effect 10 days from Passage



**ENROLLED**  
**Senate Bill No. 301**  
(By MR. MARTIN)

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[Passed March 4, 1957; in effect ninety days from passage.]

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AN ACT to amend and reenact section twenty-eight, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the time when the right to enforce liens or claims against decedent's property becomes barred.

*Be it enacted by the Legislature of West Virginia:*

That section twenty-eight, 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 28. When Enforcement of Lien to Secure Claim*

2 *Barred.*—When the right to bring action or suit against  
3 distributees and legatees on any claim against the de-  
4 cedent shall become barred, the right to enforce such

5 claim against real estate shall also become barred to the  
6 extent that such claim could have been collected out of  
7 the personal assets of decedent. The provisions of this  
8 section shall not apply to liens upon real property ac-  
9 quired or created in the lifetime of decedent, made or  
10 created to secure claims due and payable in future in-  
11 stallments or at a future date.

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

*E. S. Spawfort*  
Chairman Senate Committee

*Samuel M. Koch*  
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

*Thomas Meyer*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Ralph J. Bean*  
President of the Senate

*W. H. King*  
Speaker House of Delegates

The within approved this the 12th  
day of March, 1957.

*Jeff H. Underwood*  
Governor



Eiled in the Office of the Secretary of State  
of West Virginia. **MAR 12 1957**

S. B. BIRD  
SECRETARY OF STATE