

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959



ENROLLED

Comm Sub For

HOUSE BILL No. 32

(By Mr. *Comm on the Judiciary*)



PASSED Feb 13 1959

In Effect From Passage



Filed in Office of the Secretary of State
of West Virginia FEB 21 1959

JOE F. BURDETT
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 32

(Originating in the Committee on the Judiciary)

[Passed February 13, 1959; in effect from passage.]

AN ACT to amend and reenact section sixteen, article thirteen, chapter thirty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to expenses and fees of trustees, commissioners of accounts, appraisers and attorneys for trustees in assignments for the benefits of creditors.

Be it enacted by the Legislature of West Virginia:

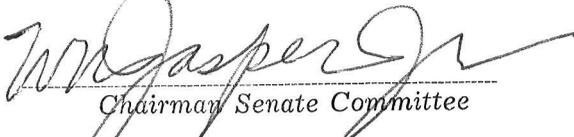
That section sixteen, article thirteen, chapter thirty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 16. *Expenses and Fees of Trustee, Commissioner, Appraisers and Attorneys for Trustee.*—Trustees
2 shall be allowed their reasonable and necessary disburse-
3

4 ments for the costs and expenses and shall receive for
5 their services commissions on all moneys disbursed or
6 turned over by them to any persons, including lienholders
7 and secured creditors, which commissions shall be ten
8 per cent on the first fifteen hundred dollars or less, five
9 per cent on moneys in excess of fifteen hundred dollars
10 and less than ten thousand dollars, three per cent on
11 moneys in excess of ten thousand dollars and less than
12 twenty-five thousand dollars, and two per cent on moneys
13 in excess of twenty-five thousand dollars, or such addi-
14 tional compensation as a majority in number and amount
15 of the creditors present at the meeting provided for in
16 section ten of this article, or at a subsequent meeting
17 held for the purpose of fixing compensations, shall allow,
18 but the compensation shall in no case be less than fifty
19 dollars. Commissioners of accounts shall be allowed their
20 reasonable and necessary disbursements for costs and ex-
21 penses and shall receive for their services such compen-
22 sation as the court shall from time to time prescribe.
23 The commissioner shall indicate, in writing, the compen-
24 sation he believes he is entitled to receive for services

25 performed. Appraisers shall receive for their services a
26 fair and reasonable allowance which shall be fixed by the
27 commissioner upon a petition therefor showing the amount
28 of time spent by the appraisers in the performance of
29 their duties. Attorneys for the trustee shall receive for
30 their service a fair and reasonable allowance which shall
31 be fixed by the commissioner upon petition showing the
32 service rendered by them.

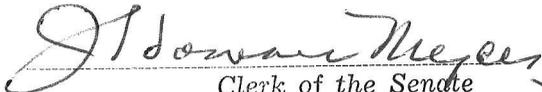
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

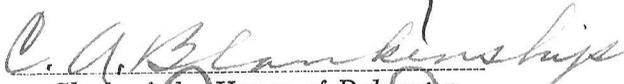

Chairman Senate Committee


Chairman House Committee

Originated in the House of Delegates.

Takes effect from passage.

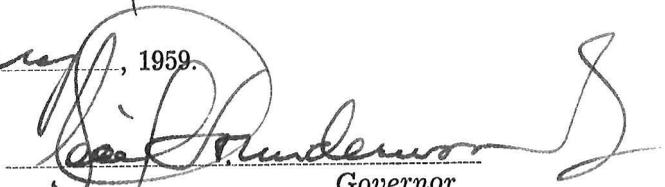

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 21st
day of January, 1959.


Governor