ENROLLED

HOUSE BILL No....373

(By Mr. Ford)

PASSED March 10, 1961

In Effect Ninety Days from Passage

Filed in Office of the Secretary of State of West Virginia

MAR 17 1961

JOE F. BURDETT
SECRETARY OF STATE
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 the injury, destruction, concealment, removal, encumbrance or sale of goods sold under 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, removed, mortgaged, sold or otherwise disposed of is less than fifty dollars, and, upon conviction thereof, shall be confined 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, destroyed, concealed, removed, mortgaged, sold or otherwise disposed of is fifty dollars or more, 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 article, 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
28 guilty of a misdemeanor, and, upon conviction thereof,
29 shall be confined in the county jail for not more than one
30 year, or be fined not more than five hundred dollars, or
31 both. Any such removal without such notice having been
32 given shall be deemed prima facie fraudulent.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 17th day of March, 1961.

[Signature]
Governor

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JOE F. BURDETT
SECRETARY OF STATE