

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 191

(By Mr. Madden)



PASSED March 7, 1963

In Effect ninety days from Passage



Filed in Office of the Secretary of State
of West Virginia 3-15-63

JOE F. BURDETT
SECRETARY OF STATE

161 #

ENROLLED
House Bill No. 191

(By MR. MADDEN)

[Passed March 7, 1963; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to publication of notice of time for receiving claims against decedent's estate by a commissioner of accounts.

Be it enacted by the Legislature of West Virginia:

That section two, 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:

Article 2. Proof and Allowance of Claims against Estates of Decedents.

Section 2. Commissioner to Publish Notice of Time

2 for Receiving Claims against Decedent's Estate.—Within
3 one month next succeeding the reference of the estate
4 to a commissioner of accounts, he shall appoint a con-
5 venient time and place when and where claims against
6 the estate may be presented, examined and allowed. The
7 time so fixed by the commissioner shall be not less than
8 four months nor more than six months from the date
9 of the first publication of the notice hereinafter set
10 forth. The commissioner shall give notice of such
11 time and place by publishing ~~one~~ a week for three
12 successive weeks, in some newspaper published in
13 the county, a notice to the following effect:

E. B. B.
leg. p.
C. H. P.

14 To the Creditors and Beneficiaries of the Estate of
15 A..... B.....:

16 All persons having claims against the estate of the said
17 A..... B....., deceased, whether due or not,
18 are notified to exhibit same, with the voucher thereof,
19 legally verified, to the undersigned, at (designating the
20 place) on or before the day of; otherwise
21 they may by law be excluded from all benefit of said

22 estate. All beneficiaries of said estate may appear on or
23 before said day to examine said claims and otherwise
24 protect their interests.

25 Give under my hand this day of, 19....

26 C..... D.....,

27 Commissioner of Accounts, County of

28 But if there be no newspaper published in the county,
29 then the commissioner shall publish such notice in like
30 manner in some newspaper of general circulation in the
31 county. The publication of such notice shall be equiv-
32 alent to personal service on the creditors, distributees
33 and legatees, or any of them.

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

O. Ray Parker
Chairman Senate Committee

Ethel L. Randall
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Keesee
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Courson
President of the Senate

Julius W. Gullett Jr.
Speaker House of Delegates

The within approved this the 14th
day of March, 1963.

W. W. Baum
Governor

