

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 16

(By Mr. Carson, Mr. President)

PASSED February 5, 1965

In Effect from Passage



FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 2-10-65

#16

ENROLLED
Senate Bill No. 16
(By MR. CARSON, MR. PRESIDENT)

[Passed February 5, 1935; in effect from passage.]

AN ACT to amend and reenact sections two and three, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to publication by a commissioner of accounts of a notice of time for receiving claims against decedents' estates and the certification by the commissioner of the publication of such notice.

Be it enacted by the Legislature of West Virginia:

That sections two and three, 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 2. Commissioner to Publish Notice of Time for
2 Receiving Claims against Decedents' Estates.—Each month

3 the commissioner of accounts shall publish a notice desig-
 4 nating a convenient time and place when and where
 5 claims against the estate or estates referred to him during
 6 the previous calendar month may be presented, examined
 7 and allowed. The time so designated by the commis-
 8 sioner shall not be less than four months nor more than
 9 six months from the date of the first publication of the
 10 notice hereinafter set forth. The notice shall be to the
 11 following effect:

12 To the Creditors and Beneficiaries of the Estate(s) of

13 -----
 14 (Naming the decedent or decedents, as the case may be)

15 All persons having claims against the estate(s) of the said

16 -----
 17 (Naming the decedent or decedents, as the case may be)

18 deceased, whether due or not, are notified to exhibit
 19 same, with the voucher thereof, legally verified, to be
 20 undersigned, at (designating the place) on or before the
 21 ----- day of -----, 19...; otherwise they may by law be ex-
 22 cluded from all benefit of said estate(s). All beneficiaries
 23 of said estate(s) may appear on or before said day to
 24 examine said claims and otherwise protect their interests.

*ok jhal
(1/2/76)*

J.C.

25 Given under my hand this _____ day of _____, 19....
 26 _____,
 27 Commissioner of Accounts,
 28 County of _____.

29 Such notice shall be published once a week for three
 30 successive weeks in some newspaper of general circula-
 31 tion published in the county, but if no such newspaper is
 32 published in the county such notice shall be published in
 33 some newspaper of general circulation in the county. The
 34 publication of such notice shall be equivalent to personal
 35 service on the creditors, distributees and legatees, or any
 36 of them.

Sec. 3. Commissioner to Certify to Publication of Notice.

2 —In his certificate to the report of claims against the es-
 3 tate, to be made as hereafter provided, the commissioner
 4 of accounts shall certify that the notice required by sec-
 5 tion two of this article was published and shall state the
 6 name of the newspaper in which the notice was published
 7 and the dates of publishing.

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

O. Roy Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *from* _____ Passage.

M. ...
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Laban White
Speaker House of Delegates

The within *approved* this the *10th*
day of *February*, 1965.

Archie C. Smith
Governor



Presented to the Governor's Office
Feb. 9, 1965
3:50 p.m.