

Rec., 12/11/33

O.T., 12/16/33

100

ENROLLED BILL
(SECOND EXTRAORDINARY SESSION, 1933)

House Bill No. 100

(By Mr. LaFou)

Passed December 9th 1933

In Effect from Passage

Originated in the House of Delegates Takes effect *Passage*
James L. Smith Clerk. *Clerk House of Delegates.*

CORRECTLY ENROLLED

James L. Smith Chairman House Committee.
James L. Smith Chairman Senate Committee.

ENROLLED BILL

(H. B. No. 100)

[Passed December 9, 1933: in effect from passage.]

AN ACT to provide for financial relief, care and comfort of Harry E. Brown, a native and resident of Monroe county, state of West Virginia, who was permanently injured by the unlawful acts of prohibition officers of the state, on April nineteenth, one thousand nine hundred twenty-five, by the payment to, and for his use of the sum of five hundred dollars for his immediate relief and need and the sum of seven hundred twenty dollars per annum payable monthly, from the time this act becomes effective, for his maintenance, support, care and attention, from month to month, during the remainder of his life, and appropriate the necessary funds from the state treasury not otherwise appropriated, or that may remain in

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James L. Smith
Thomas A. Heyra

Chairman House Committee.

Chairman Senate Committee.

the treasury unexpended, to accomplish the object and purpose of this act, and to appropriate revenue raised by this session of the Legislature for said purpose.

Be it enacted by the Legislature of West Virginia:

Section 1. Whereas, Harry E. Brown, a native and resident of Monroe county, this state, while driving his automobile in a lawful manner along state highway number three in Greenbrier county, on April nineteenth, one thousand nine hundred twenty-five, at about the hour of nine forty-five p. m. on said day, was fired upon by prohibition officers, namely Harry Sheppard and others, at which time the said Harry E. Brown was hit in the back by a thirty-eight caliber bullet, which severed his spinal cord at the sixth vertebrae, which injury produced paralysis of the body of the said Harry E. Brown below said vertebrae, and from which time the said Harry E. Brown has been and now is a helpless invalid and dependent upon the help, aid and assistance of others for every care and physical comfort; and

Whereas, The said Harry E. Brown, at the time of the unlawful act of said prohibition officers, was innocent of any violation of law and was conducting himself as a peaceful and

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Henry A. Rogers

Chairman Senate Committee.

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Chairman House Committee.

Enrolled H. B. No. 100]

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18 law-abiding citizen, and who recovered from the officer who
19 assumed the responsibility for the unlawful use of the deadly
20 weapon the penalty of his bond, which amount so recovered
21 has long since been used and expended for hospital services
22 and medical care rendered the said Harry E. Brown, and who
23 since said injury has been and is now without means or in-
24 come to provide for his physical comfort and maintenance and
25 support as aforesaid.

Sec. 2. It is therefore hereby enacted and provided that
2 there be paid to the said Harry E. Brown from the state treas-
3 ury the sum of five hundred dollars for the immediate relief
4 and physical comfort of the said Harry E. Brown, and the
5 further sum of seven hundred twenty dollars annually, pay-
6 able monthly commencing ten days from the time this act be-
7 comes effective, for the care, support and maintenance of the
8 said Harry E. Brown during the remainder of his lifetime.
9 And the auditor of the state is hereby authorized and directed
10 to draw requisition upon the treasurer of the state, payable to
11 the said Harry E. Brown, for the amounts and in the man-
12 ner as hereinbefore authorized.

Sec. 3. And sufficient funds from any revenue of the state

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Chairman House Committee.

James A. Rogers

Chairman Senate Committee.

2 not otherwise appropriated, or remaining unexpended for
3 any cause, and from revenue raised by this session of the
4 Legislature, are hereby appropriated to pay the amount author-
5 ized aforesaid. And the budget commission is directed to re-
6 port for payment in any budget bill hereafter submitted to the
7 Legislature for consideration, the amount herein authorized to
8 be paid to the said Harry E. Brown, which at the time of the
9 submission of said report remains unpaid or not provided for.

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Samuel H. Hays
Chairman Senate Committee.

Wm. E. Shriver
Speaker of the House of Delegates.

Geo. S. Saylor
Clerk of the House of Delegates.

A. G. Mair
President of the Senate.

James R. Rink
Clerk of the Senate.

James L. Smith
Chairman House Committee.

The within is.....

this.....day of....., 1933.

.....
Governor.

Filed in the office of the Secretary of State
of West Virginia. **DEC 18 1933**
Wm. S. O'BRIEN,
Secretary of State