

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

SENATE BILL No. 188

(By Mr. Howard)



PASSED March 17th 1937

In Effect From Passage

ENROLLED
Senate Bill No. 188

(BY MR. HOWARD) (by request)

[Passed March 12, 1937; in effect from passage.]

AN ACT to amend and reenact section fourteen, article two, chapter fifty-four of the code of West Virginia, one thousand nine hundred thirty-one, relating to entry on land by corporate body politic.

Be it enacted by the Legislature of West Virginia:

That section fourteen, article two, chapter fifty-four of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 14. If the applicant be the state of West Virginia, or any political subdivision thereof, on filing its pe-

3 tition as authorized in this article, and if the court or judge
4 is satisfied that the purpose for which the land or property
5 is sought to be condemned is a public use for which private
6 property may be appropriated on compensating the owner,
7 the court or judge shall, at the request of the applicant,
8 make an order permitting the applicant at once to enter
9 upon, take possession, appropriate and use the land sought
10 to be condemned for the purposes stated in the petition.
11 The revenues applicable to the payment of any damages or
12 compensation to which the owner is entitled, and which
13 shall be awarded or assessed in his favor, shall be deemed
14 sufficient security and to have been pledged for such pay-
15 ment, and no bond or further security shall be required of
16 the applicant.

17 If the applicant shall enter upon or take possession of
18 property under the authority of this section, and shall do
19 any work thereon and injure such land or property, it shall
20 not be entitled, without the consent of the defendant, to
21 abandon the proceedings for the condemnation thereof, but
22 such proceedings shall proceed to final award or judgment
23 after a reasonable time has elapsed for completion of the

24 work upon the particular property so entered upon and taken
25 possession of, and the applicant shall pay to the owner of
26 the land the amount of compensation and damages as finally
27 determined in such proceedings.

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

Car B. Galbreath

Chairman Senate Committee

Quinn Buck

Chairman House Committee

Originated in the.....

Takes effect..... passage.

Charles H. ...

Clerk of the Senate

Wm. A. Hare

Clerk of the House of Delegates

Chas. E. Hoyle

President of the Senate

J. K. Thomas

Speaker House of Delegates

The within..... this the.....

day of....., 1937.

Governor

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.



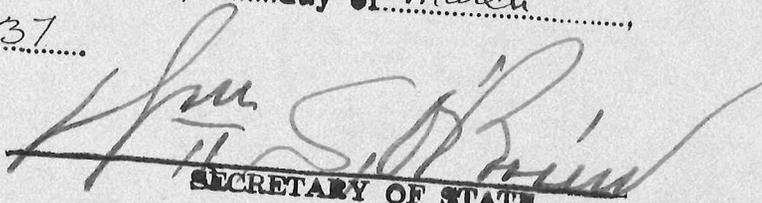
Filed in the office of the Secretary of State of West Virginia. **MAR 19 1937**

Wm. S. O'BRIEN,
Secretary of State

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the...19th...day of March.....

1937.....


SECRETARY OF STATE