WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

HOUSE BILL No. 267

(By Mr. Taylor, by request)

PASSED March 11, 1939

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, as amended by chapter one hundred twenty-two, acts of the Legislature, regular session, one thousand nine hundred thirty-seven, relating to entry upon 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, as amended by chapter one hundred twenty-two, acts of the Legislature, regular session, one thousand nine hundred thirty-seven, be amended and reenacted to read as follows:

Article 2. Procedure.

Section 14. Condemnation by State or Its Political Subdivisions. If the applicant be the state of West Virginia, or
any political subdivision thereof, on filing its petition as
authorized in this article, and if the court or judge is satis-
fied that the purpose for which the land or property is sought
to be condemned is a public use for which private property
may be appropriated on compensating the owner, the court
or judge shall, at the request of the applicant, make an order
permitting the applicant at once to enter upon, take posses-
sion, appropriate and use the land sought to be condemned
for the purposes stated in the petition. The revenues ap-
plicable to the payment of any damages or compensation to
which the owner is entitled, and which shall be awarded or
assessed in his favor, shall be deemed sufficient security and
to have been pledged for such payment, and no bond or
further security shall be required of the applicant.

If the applicant shall enter upon or take possession of
property under the authority of this section, and shall do
any work thereon and injure such land or property, it shall
not be entitled, without the consent of the defendant, to
abandon the proceedings for the condemnation thereof, but
such proceedings shall proceed to final award or judgment
after a reasonable time has elapsed for completion of the work
upon the particular property so entered upon and taken
possession of, and the applicant shall pay to the owner of
the land the amount of compensation and damages as finally
determined in such proceedings, with interest at six per cent
from the date of the actual entry upon the land so taken.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within this the 6th day of , 1939.

Governor.

Filed in the office of the Secretary of State of West Virginia MAR 17 1939

Wm. S. O'Brien,
Secretary of State