

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939



ENROLLED

HOUSE BILL No. 2627

(By Mr. Taylor, by request)



PASSED March 11 1939

In Effect from Passage

ENROLLED
House Bill No. 262

(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 Sub-*
2 *divisions.* If the applicant be the state of West Virginia, or

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

24 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, with interest at six per cent
 28 from the date of the actual entry upon the land so taken.

Filed in the office of the Secretary of State
 MAR 1 1908
 Wm. S. O'Brien
 Secretary of State

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

E. O. Wiseman

Chairman Senate Committee

Will W. Walker

Chairman House Committee

Originated in the *House of Delegates*

Takes effect *from* passage.

Christina
Clerk of the Senate

Geo. S. Hall
Clerk of the House of Delegates

Wm. M. ...
President of the Senate

James K. ...
Speaker House of Delegates

The within *approved* this the *16th*

day of *March*, 1939.

Sam ...
Governor.



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

Wm. S. O'BRIEN,
Secretary of State