

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939

## ENROLLED

SENATE BILL No. 145

(By Mr. Proctor)

PASSED March 10th 1939

In Effect Thirty days from Passage



ENROLLED  
Senate Bill No. 145

(BY MR. PROCTOR)

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[Passed March 10, 1939; in effect ninety days from passage.]

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AN ACT to amend and reenact chapter two, acts of the Legislature of West Virginia, regular session one thousand, nine hundred twenty-five, relating to the control, extension and improvement of the property known as Berkeley Springs, and providing further for the lease thereof.

*Be it enacted by the Legislature of West Virginia:*

Section 1. The Berkeley Springs and the sanitarium heretofore established and located on the state property known as Bath Square, or Berkeley Springs property, in Morgan county, for the treatment of persons afflicted with rheumatism, diabetes, melitus and other diseases for which the waters from

6 such springs are remedial, shall be continued, and shall be  
7 managed, directed and controlled as prescribed in article one,  
8 chapter twenty-five, of the code of West Virginia one thousand  
9 nine hundred thirty-one, and amendments thereto.

Sec. 2. The state board of control shall provide plans  
2 necessary for the alteration of present buildings on said  
3 grounds and such new buildings as may be necessary to pro-  
4 vide. The state board of control shall have power to acquire  
5 by purchase or condemnation such additional land adjacent  
6 or near to the said Bath Square, as in its judgment may be  
7 necessary to carry out the intent and purpose of this act. All  
8 condemnation proceedings had hereunder shall be governed  
9 by chapter fifty-four of the code of West Virginia one thou-  
10 sand nine hundred thirty-one, and amendments thereto.

11 The state board of control may make such disposition of the  
12 surplus water from such springs, as it may deem most ad-  
13 vantageous to the interests of the state.

Sec. 3. Patients shall be admitted to such institution for  
2 treatment upon payment of such fees as may be established  
3 by the board of control, which fees shall be reasonable, but  
4 patients from this state shall be allowed free treatment if not

5 pecuniarily able to pay for same, under such reasonable regu-  
6 lations as the board of control may prescribe.

Sec. 4. The state is hereby authorized to receive gifts or  
2 appropriations from the government of the United States, or  
3 from any source, for the purpose set forth in this act, and the  
4 state board of control is authorized to enter into any reasonable  
5 agreements respecting the expenditures of same and the man-  
6 agement of such institution.

Sec. 5. Notwithstanding the other provisions of this act,  
2 the state board of control may lease the said property, as a  
3 whole or otherwise, to any responsible person upon such terms  
4 and for such period as the board may determine, requiring of  
5 the lessee such bond for faithful performance as it may deem  
6 wise and expedient; which lease and the terms thereof shall be  
7 subject to the approval of the governor.

8 All acts or parts of acts inconsistent herewith are hereby  
9 repealed.

I certify that the foregoing bill has been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature within the time specified by the Constitution of the State, it became a law without his approval.

This the ..... day of .....

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

*E. O. Wiseman*

Chairman Senate Committee

*W. B. Drake*

Chairman House Committee

Originated in the

*Senate*

Takes effect

*thirty days*

passage.

*Samuel H. Miller*

Clerk of the Senate

*Geo. S. Hance*

Clerk of the House of Delegates

*Wm. McKim*

President of the Senate

*James Kay House*

Speaker House of Delegates

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

1939.

Governor.

This the *17th* day of *March*,

19*39*

*Wm. S. O'Brien*

SECRETARY OF STATE