

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939

ENROLLED

SENATE BILL No. 162

(By Mr. Sweeney)

PASSED March 10th 1939

In Effect Jan Passage



ENROLLED
Senate Bill No. 162

(By MR. SWEENEY, by request)

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

AN ACT to authorize the board of commissioners of Ohio county to settle the claim of Winfield S. Eshelman for injuries sustained by him when struck by a truck of said board, while operated by an employee of said board in line of duty.

Be it enacted by the Legislature of West Virginia:

WHEREAS, Winfield S. Eshelman, a resident of Ohio county, on December twenty-two, one thousand nine hundred thirty-two, was struck and seriously injured by a truck of the board of commissioners of said county, while being operated by an employee of said board in the line of duty, said injuries resulting in almost total disability to said Eshelman; and

WHEREAS, By reason of being a governmental agency, the legal responsibility of said board for damages for said injuries cannot be established by an action at law,

Section 1. The board of commissioners of Ohio county is
2 authorized to settle the claim of Winfield S. Eshelman for
3 damages sustained by him when struck and injured by a
4 truck of said board while being operated by an employee of
5 said board in the line of duty and to pay to said Eshelman,
6 from any funds in its hands available for the purpose, the
7 amount of such damages, if any, ascertained to be due him.

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

E. V. Wiseman

 Chairman Senate Committee

Neil D. Walter

 Chairman House Committee

Originated in the *Senate*

Takes effect *from* passage.

Charles H. Miller

 Clerk of the Senate

Geo. A. Hulse

 Clerk of the House of Delegates

James H. Brown

 President of the Senate

James H. Brown

 Speaker House of Delegates

I certify that the foregoing act, this the
 having been presented to the Governor for
 his approval, and not having been returned, 1939.
 by him to the House of the Legislature in
 which it originated within the time pre-
 scribed by the constitution of the state, has
 become a law without his approval.
 Governor.

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

19*39*.....

Geo. S. O'Brien

 SECRETARY OF STATE