WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

SENATE BILL No. 162

(By Mr. Sweeney)

PASSED March 10th, 1939

In Effect from 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 sus-
tained 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 commis-
sioners 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 authorized to settle the claim of Winfield S. Eshelman for damages sustained by him when struck and injured by a truck of said board while being operated by an employee of said board in the line of duty and to pay to said Eshelman, from any funds in its hands available for the purpose, the 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.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate

Takes effect [signature]
passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

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 17th day of March, 1939.

Secretary of State