

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939

ENROLLED

SENATE BILL No. 288

(By Mr. Johnson & Mason)

PASSED March 9th 1939

In Effect Jan Passage

ENROLLED

Senate Bill No. 288

(BY MR. JOHNSON, of Mason)

[Passed March 9, 1939; in effect from passage.]

AN ACT authorizing the governor of this state to grant to the government of the United States, in aid and furtherance of river navigation, the right and privilege to locate, place and maintain, under the lighthouse or navigation laws of the United States, a beacon light on Tu-Endi-Wei park, at Point Pleasant, West Virginia, under such conditions, and with such right and title in the government of the United States, as the governor shall agree upon with the government of the United States, through its representatives; and also the right and privilege to erect and forever maintain on said park a river gauge board.

Be it enacted by the Legislature of West Virginia:

Section 1. That the governor of this state be, and he is
2 hereby authorized and empowered to grant to the govern-
3 ment of the United States, the right and privilege to locate,
4 place and forever maintain, under the lighthouse or other
5 applicable laws of the United States of America, a beacon
6 light of such kind and capacity, on such pedestal or house, as
7 shall be agreed upon by the governor and such representatives,
8 for use in connection with navigation, on Tu-Endi-Wei park,
9 at Point Pleasant, West Virginia, and at the junction of the
10 Ohio and Great Kanawha rivers, and at such place on said
11 park as may be so agreed upon, and to sign, execute and
12 deliver to said representatives, such deed or other instrument
13 granting the said right and privilege, as may, in his judgment,
14 be necessary and proper for the accomplishment of the said
15 purpose: *Provided, however,* That in the accomplishment
16 thereof no expense shall be imposed upon the state or incurred
17 by it.

Sec. 2. In effectuating the purpose of the preceding sec-
2 tion, the governor may delegate to the state board of control
3 of this state and to the "Point Pleasant Battle Monument

4 Commission," or either of them, such powers and duties as
5 he shall deem it necessary or advisable to delegate unto them,
6 or either of them; and the said state board of control and
7 "Point Pleasant Battle Monument Commission," are and
8 each of them is, hereby authorized to accept donations and
9 contributions of money, labor and materials, for use in erect-
10 ing any part of said structure, to be applied and used under
11 the supervision and direction of said state board of control.

Sec. 3. The governor of this state is also hereby authorized
2 and empowered to grant to the government of the United
3 States, the right and privilege to erect and forever maintain
4 on said park a river gauge board, to be of such character and
5 so located as not to mar the beauty of said park, or unneces-
6 sarily obstruct or obscure the view thereof, and shall be
7 erected at the cost and expense of the government of the
8 United States.

I, the Governor of the State of New York, do hereby certify that the foregoing is a true and correct copy of the original of the same as the same appears in the records of the Senate of the State of New York.

This the _____ day of _____ 19____

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

E. O. Wiseman
Chairman Senate Committee

Wm. G. Walte
Chairman House Committee

Originated in the

Senate

Takes effect

From

passage

Thomas H. Riley
Clerk of the Senate

Wm. S. Hall
Clerk of the House of Delegates

James H. Hous
President of the Senate

James H. Hous
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 _____ day of _____, 1939.

Governor

This the 17th day of March, 1939

Wm. S. O'Brien
SECRETARY OF STATE