

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1941



ENROLLED

HOUSE BILL No. 135

(By Mr. Simpson)



PASSED March 1, 1941

In Effect ninety days from Passage

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ENROLLED
House Bill No. 135
(BY MR. SIMPSON)

[Passed March 1, 1941; in effect ninety days from passage.]

AN ACT authorizing the state compensation commissioner to
reopen the case of Ivan Carson.

WHEREAS, on the twenty-second day of November, one thousand nine hundred thirty-four, while employed by Consolidated Supply Company in loading a truck with sand in the city of Clarksburg, county of Harrison, and state of West Virginia, Ivan Carson received an injury to his right eye; and

WHEREAS, said Consolidated Supply Company was, at the time of the aforesaid injury to Ivan Carson, a subscriber to the Workmen's Compensation fund; and,

WHEREAS, said Ivan Carson was paid only \$6.87 as compensation for partial and temporary disability on account of said injury and the case was closed by the state compensation commissioner on the twenty-first day of December, one thousand nine hundred thirty-four; and

WHEREAS, after said case was closed, said Ivan Carson's right eye was removed as a result of said injury so sustained by him while employed by said Consolidated Supply Company; and,

WHEREAS, on the sixth day of May, one thousand nine hundred thirty-nine, application for reopening and hearing was filed by the said Ivan Carson with the state compensation commissioner, but said application was declined due to the fact that the commissioner was without jurisdiction to consider the claim, as more than two years had elapsed since the date of said payment to said Ivan Carson; therefore,

Be it enacted by the Legislature of West Virginia:

Section 1. Compensation Commissioner Authorized to

2 Reopen Case of Ivan Carson. The state compensation
3 commissioner is hereby authorized to reopen the case of
4 Ivan Carson, notwithstanding the fact that more than two
5 years elapsed after the date of the last payment to him
6 before application for reopening and hearing was filed;
7 said state compensation commissioner is further author-
8 ized to make such disposition of the case as would have
9 been proper had said application been filed within the

10 period required by law, and to allow such compensation
11 to said Ivan Carson as the facts and conditions pertaining
12 to the case may warrant.

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

C. H. McHenry
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

A. Hale Watkins
Clerk of the Senate

Jackiff
Clerk of the House of Delegates

Byron B. Budosh
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within approved this the 13th
day of March, 1941.

Matthew M. Neely
Governor.

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Filed in the office of the Secretary of State
of West Virginia. MAR 13 1941
Wm. S. O'BRIEN,
Secretary of State