

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941



ENROLLED

HOUSE BILL No. 284

(By Mr. Hess)



PASSED March 7 1941

In Effect from Passage

ENROLLED
House Bill No. 284
(BY MR. KIDD)

[Passed March 7, 1941; in effect from passage.]

AN ACT authorizing the state compensation commissioner to
reopen the case of Okie E. Knight.

WHEREAS, On October 27, one thousand nine hundred thirty-two, while employed by the state road commission, as a laborer, Okie E. Knight of Burnsville, Braxton county, West Virginia, received an injury which resulted in a fracture of his pelvis; and

WHEREAS, The employer of the said Okie E. Knight was at the time of the aforesaid injury a subscriber in good standing to the workmen's compensation fund; and

WHEREAS, The claimant was granted a partial permanent disability award and was last paid thereunder on the thirtieth day of September, one thousand nine hundred thirty-seven, and did not within one year thereafter comply with the provisions of section sixteen, article four, chapter twenty-three of

the code of West Virginia, one thousand nine hundred thirty-one, as amended, by making a proper application for the reopening of his said claim, and as a result of his failure to so comply with the statute, the workmen's compensation commissioner is without authority to reopen said claim; therefore

Be it enacted by the Legislature of West Virginia:

Section 1. *Compensation Commissioner Authorized to Reopen Case of Okie E. Knight.*—The state compensation commissioner is hereby authorized to reopen the case of Okie E. Knight, notwithstanding the fact that he failed to comply with the provisions of section sixteen, article four, chapter twenty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, in that he did not within one year after the date of the last payment of compensation to him make a proper application for a further adjustment of his claim, and the said state compensation commissioner is further authorized to make such disposition of the case as would have been proper had the said Okie E. Knight complied with the requirements of the said statute by submitting a proper application for the reopening of his claim within the

16 proper time, and to allow the said Okie E. Knight such
17 further compensation as the evidence and the claimant's
18 physical condition warrant.

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

G. H. M. Koun
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Abner Watkins
Clerk of the Senate

J. R. Raliff
Clerk of the House of Delegates

Byron B. Randolph
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within approved this the 14th
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 24 1941
Wm. S. O'BRIEN,
Secretary of State