

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1941



ENROLLED

HOUSE BILL No. 299

(By Mr. McClung, of Fayette)



PASSED March 8, 1941

In Effect immediately from Passage

ENROLLED
House Bill No. 299
(By MR. McCLUNG, of Fayette)

[Passed March 8, 1941; in effect ninety days from passage.]

AN ACT authorizing the state compensation commissioner to
reopen the case of A. F. Dean.

Whereas, On the fourteenth day of March, one thousand nine hundred thirty-two, while employed by the Elkhorn Piney Coal company and in the discharge of his duties, the said A. F. Dean was caught under a slate fall and mashed to the extent that he is permanently disabled; and

Whereas, The said Elkhorn Piney Coal company was at the time of the aforesaid injury to A. F. Dean a subscriber to the workmen's compensation fund; and

Whereas, A. F. Dean was given fifty-five per cent total disability upon examination after the injury; and

Whereas, The state compensation commissioner refused claimant after the year one thousand nine hundred thirty-six; and

Whereas, A. F. Dean has made application with the state com-

pensation 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 A. F. Dean; therefore,

Be it enacted by the Legislature of West Virginia:

Section 1. *Compensation Commissioner Authorized to Reopen Case of A. F. Dean.*—The state compensation commissioner is hereby authorized to reopen the case of A. F. Dean, notwithstanding the fact that more than two years have elapsed after the date of the last payment to him before application for reopening and hearing was filed; said state compensation commissioner is further authorized to make such disposition of the case as would have been proper had said application been filed within the period required by law, and to allow such compensation to said A. F. Dean as the facts and conditions pertaining to the case may warrant.

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

C. H. Kown
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Alfred Watkins
Clerk of the Senate

J. R. Raliff
Clerk of the House of Delegates

Byron B. Randolph
President of the Senate

Walden R. Arnold
Speaker House of Delegates

The within approved this the 14th
day of March, 1941.

Matthew M. Neely
Governor.

Filed in the office of the Secretary of State
of West Virginia MAR 24 1941

Wm. S. O'BRIEN,
Secretary of State