WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

HOUSE BILL No. 72

(By Mr. Ballard of Mingo)

PASSED March 4, 1941

In Effect sixty days from Passage
ENROLLED
House Bill No. 72
(By Mr. Ballard, of Mercer)

[Passed March 4, 1941: in effect ninety days from passage.]

AN ACT authorizing the workmen's compensation commission to reopen the case of Herbert or Hobart Morris.

WHEREAS, On September eighteenth, one thousand nine hundred twenty-nine, employed by the Killarney Smokeless Coal Company, Killarney, Raleigh county, West Virginia, in the lane of the mine track in the mine of the Killarney Smokeless Coal Company, Killarney, in the county of Raleigh, this state, Herbert and/or Hobert Morris, received an injury in the left arm between the elbow and shoulder, by the tearing loose of muscle of said arm; and

WHEREAS, The employer of the said Herbert and/or Hobert Morris was, at the time of the aforesaid injury, a subscriber to the workmen's compensation fund; and,

WHEREAS, The said Herbert or Hobert Morris was paid compensation upon twenty per cent partial disability basis until May the thirty-first, one thousand nine hundred thirty-one,
at which time said compensation expired; and, it is the opinion of competent physicians and surgeons that the injury sustained by Herbert or Hobert Morris has resulted in permanent disability; and,

WHEREAS, On January eighth, one thousand nine hundred thirty-one, December fourth, one thousand nine hundred thirty-one, and December nine, one thousand nine hundred thirty-one, a request was filed by the said Herbert or Hobert Morris with the state compensation commissioner, but was declined due to the fact that the commissioner found himself without jurisdiction to further consider the claim; therefore,

Be it enacted by the Legislature of West Virginia:

Section 1. The state compensation commissioner is hereby authorized to re-open the case of Herbert or Hobert Morris, notwithstanding the fact the compensation commissioner closed the case and refused a re-opening of same, in view of the fact that at various times application was made to have the case re-opened and to allow such compensation to said Herbert or Hobert Morris 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.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor.

Filed in the office of the Secretary of State of West Virginia, MAR 17, 1941.

Wm. S. O'Brien,
Secretary of State