

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

SENATE BILL No. 16

(By Mr. Mitchell)

PASSED March 4, 1941

In Effect ninty days from Passage



ENROLLED
Senate Bill No. 16

(BY MR. MITCHELL)

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

AN ACT authorizing the Adjutant General to pay Ernest E. Hurt for injuries received in line of duty while regularly enlisted and enrolled in the national guard of West Virginia, and while encamped with the national guard at Camp Knox, Kentucky.

WHEREAS, Ernest E. Hurt, of Raleigh county, West Virginia, was on the fourteenth day of August, one thousand nine hundred thirty-six, and prior thereto, regularly enrolled and enlisted in the national guard of West Virginia, as a private in company H, 150th infantry;

WHEREAS, On said fourteenth day of August, one thousand nine hundred thirty-six, while so regularly enrolled and en-

listed under Captain Albert Holmes, with Colonel Eubanks as commanding officer, at Camp Knox, Kentucky, during the regular summer encampment of said national guard, he was, in line of duty, making an examination of a shell commonly called "a dud", which said shell was in the possession of said national guard to be used in firing practice by said guard as part of its training, and while so examining said dud, and without attempting to put off or explode said shell in any manner, it exploded prematurely without any fault or negligence on the part of said private Hurt, blowing off his right hand and causing the subsequent amputation of the lower part of the forearm; and

WHEREAS, The said injury was received by the said Ernest E. Hurt, while in line of duty as aforesaid and the injuries he received by the said unexpected, unanticipated and premature discharge of said shell seriously injured and made him a cripple for life, for which he was in nowise to blame; therefore,
Be it enacted by the Legislature of West Virginia:

Section 1. The Adjutant General is authorized and
2 empowered, in his discretion, to pay to the said Ernest E.
3 Hurt, from the appropriation for the State Militia for the

4 biennium, July first, one thousand nine hundred forty-one
5 to June thirtieth, one thousand nine hundred forty-three,
6 a sum not to exceed three thousand five hundred dollars,
7 as compensation in full for said injuries so sustained by
8 him.

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

C. H. McKown
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the

Senate

Takes effect

ninety days from

passage

W. Lee Watkins
Clerk of the Senate

Jackiff
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.

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

Wm. S. O'Brien,
Secretary of State