WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

SENATE BILL No. 68

(By Mr., by request)

PASSED March 4 1941

In Effect 90 days from Passage
AN ACT authorizing the state compensation commissioner to reopen the case of Mose Adkins.

WHEREAS, On the fifteenth day of October, one thousand nine hundred thirty, while employed by the Spruce River Coal and Lumber Company at Jeffrey, in Boone county, West Virginia, in the pursuance of his employment, Mose Adkins received an injury resulting in a bone fracture in front of the right ear; and

WHEREAS, Said Spruce River Coal and Lumber Company was at the time of the aforesaid injury to Mose Adkins, a subscriber to the workmen's compensation fund; and
WHEREAS, The said Mose Adkins was paid compensation for seven and six-seventh weeks, at the rate of eight dollars per week, a total of sixty-two dollars and eighty-six cents, to December fifteenth, one thousand nine hundred thirty, inclusive, and the case was closed by the state compensation commissioner on the third day of January, one thousand nine hundred thirty-one; and

WHEREAS, After the case was closed by the commissioner the injury became aggravated; and

WHEREAS, On or about the first day of February, one thousand nine hundred thirty-three, application for reopening and hearing was filed by the said Mose Adkins with the state compensation commissioner, which said application was declined due to the fact the commissioner was without jurisdiction to consider the claim since more than two years had elapsed since the date of said payment to the said Mose Adkins; therefore,

Be it enacted by the Legislature of West Virginia:

Section 1. Compensation Commissioner Authorized to Reopen Case of Mose Adkins. The state compensation commissioner is hereby authorized to reopen the case of
Mose Adkins, notwithstanding the fact that more than two years had 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 Mose Adkins as the facts and condition pertaining to the case may warrant.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

[Signatures]

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

[Signature]

Governor.

Filed in the office of the Secretary of State
of West Virginia

Wm. S. O'Brien,
Secretary of State