

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1941

## ENROLLED

SENATE BILL No. 17

(By Mr. Hession)

PASSED February 22 1941

In Effect from Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.



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ENROLLED  
Senate Bill No. 17  
(By MR. HUSSION)

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[Passed February 22, 1941: in effect from passage.]

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AN ACT to authorize the department of public safety to make settlement with Velma Jane Valentine, of a claim for injuries received, caused by members of the department.

WHEREAS, Heretofore, at about 2 P. M. on the eleventh day of August, one thousand nine hundred twenty-four, one Velma Jane Valentine, age six, was seriously injured by being hit by a motorcycle with side-car attached, which was being driven by Troopers Hawks and Lowe, both of whom were members of the department of public safety at that time; and,

WHEREAS, said accident occurred on U. S. Route number 19, about two miles north of Rivesville, in front of the Joe Clayton residence; and,

WHEREAS, A total of sixteen hundred and ninety-two dollars and ninety cents was incurred for medical aid and services, none of which amount was paid by the department of public safety; and,

WHEREAS, Gross negligence and misrepresentations were made by officers and members of the department, and furthermore no records were kept or made by the department, and no effort was made by the officers in charge to take care of hospital, doctors and nurses fees; and,

WHEREAS, Because of said injuries said Velma Jane Valentine suffered greatly and a financial and troublesome burden was placed on her parents, and has left her grossly disfigured for the rest of her natural life; and,

WHEREAS, Nothing was ever done to reimburse her or her parents for said suffering, damages and expenses incurred; therefore,

*Be it enacted by the Legislature of West Virginia:*

Section 1. *Authority to Department of Public Safety to Settle Claim of Velma Jane Valentine; Amount of Settlement.* The superintendent of the department of public safety is authorized to pay to the said Velma Jane Valentine, her heirs or assigns, the sum of twenty-five hundred dollars as damages for the suffering endured and body disfigurement received, and in addition thereto, the sum of one thousand six hundred and ninety-two dollars and ninety cents for expenses of hospital, doctors and nurse services, same being in full settlement and discharge of said claim, from any moneys now or hereafter appropriated to the department of public safety, upon condition that the said Velma Jane Valentine do execute, acknowledge and deliver to the department of public safety a full and complete release and discharge of all persons, firms, or corporations, private or public, in any way connected with the facts out of which said claim arose.

Sec. 2. *Amount to be Embraced in Current Budget.*

Upon passage of this act, the superintendent of the depart-

3 ment of public safety shall include the amounts mentioned  
4 in section one of this act in the budget bill submitted to  
5 the Legislature at this session.

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

G. H. McKeown  
Chairman Senate Committee

Leon Rice  
Chairman House Committee

Originated in the Senate

Takes effect from passage

O. H. Walters  
Clerk of the Senate

Shipp  
Clerk of the House of Delegates

Gyrol B. Randolph  
President of the Senate

Malden R. Arnold  
Speaker House of Delegates

The within approved this the 1st  
day of March, 1941.

Matthew M. Neely  
Governor.

Filed in the office of the Secretary of State  
of West Virginia. MAR 3 1941

Wm. S. O'BRIEN,  
Secretary of State