

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1945

ENROLLED

HOUSE BILL No. 242

(By Mr. Schupbach )

PASSED March 9 1945

In Effect From Passage

242

3-15

## ENROLLED

# House Bill No. 242

(By MR. SCHUPBACH)

[Passed March 9, 1945; in effect from passage.]

AN ACT to provide financial relief, care and comfort for Achilles T. Robison, a native and resident of Wetzel county, state of West Virginia, who was permanently injured by the unlawful act of a convict, escaped from a state highway prison road camp, near Reeder, Wetzel county, West Virginia, on the sixth day of May, 1944, by the payment to and for his use, of the sum of four thousand eight hundred twenty-six dollars and thirty-five cents (\$4,826.35), payable for his maintenance, support, care and attention; and to appropriate the necessary funds from the state treasury, not otherwise appropriated, or that may remain in the treasury unexpended, to accomplish the object and purpose of this act, and to appropriate revenue raised by this session of the Legislature for said purpose.

WHEREAS, Achillis T. Robison, a native and resident of New Martinsville, Wetzel county, West Virginia, while in his home,

where he had a lawful right so to be, and which home is situated on state highway No. 2, in Wetzel county, West Virginia, on the sixth day of May, one thousand nine hundred forty-four, at or about the hour of three o'clock P. M. on said day, was fired upon by James Clark, a convict who had recently escaped from a state highway prison road camp near Reeder, Wetzel county, West Virginia, at which time the said Achilles T. Robison was struck in the right and left legs with the charge of shot from a shotgun then in the possession of the said James Clark and fired by him at the said Achilles T. Robison, and as a result thereof he lost his right leg and has been and now is a cripple, and will so remain for the rest of his natural life and unable to perform the duties of his occupation at the time of his injury; and

WHEREAS, The said Achilles T. Robison, at the time of the unlawful act of said escaped convict James Clark, was innocent of any wrongdoing and was in his own home where he had a right so to be, and was conducting himself as a peaceful and law-abiding citizen, and as a result of the injury inflicted upon him by the said escaped convict, the said Achilles T. Robison has been and is now unable to provide for his physical com-

fort and maintenance and support in the manner in which he was accustomed prior to the injury suffered by him as aforesaid; therefore,

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

Section 1. *Authorizing Payment of Damages to Achilles*

2 *T. Robison for Injuries Inflicted by an Escaped Convict.—*

3 That there be paid to the said Achilles T. Robison from  
4 the state treasury, the sum of four thousand eight hundred  
5 twenty-six dollars and thirty-five cents (\$4,826.35), be-  
6 ing the amount to which the said Achilles T. Robison  
7 would be entitled under the workmen's compensation law  
8 of the state of West Virginia, if said injury had been  
9 sustained by him in the course of his employment and  
10 his employer had been a subscriber to the workmen's  
11 compensation fund. And the auditor of this state is  
12 hereby authorized and directed to draw requisition upon  
13 the treasury of the state, payable to the said Achilles T.  
14 Robison, for the sum of four thousand eight hundred  
15 twenty-six dollars and thirty-five cents (\$4,826.35), as  
16 herein authorized, in full satisfaction of any and all

17 damages sustained by him by reason of the aforesaid  
18 injury.

Sec. 2. *Funds Appropriated*.—Sufficient funds from any  
2 revenue of the state not otherwise appropriated, or re-  
3 maining unexpended for any cause, and from revenue  
4 raised by this session of the Legislature, are hereby appro-  
5 priated to pay the said sum of four thousand eight hun-  
6 dred twenty-six dollars and thirty-five cents (\$4,826.35)  
7 to the said Achilles T. Robison.

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

Charles C. Morris  
Chairman Senate Committee

J. R. Beekunster Jr.  
Chairman House Committee

Originated in the

House

Takes effect

from

passage.

Horatio Rogers  
Clerk of the Senate

R. Klipp  
Clerk of the House of Delegates

Arnold W. Tickers  
President of the Senate

John E. Amos  
Speaker House of Delegates

The within \_\_\_\_\_ this the \_\_\_\_\_

day of \_\_\_\_\_, 1945.



Filed in the office of the Secretary Governor.  
MAR 17 1945  
of West Virginia

Wm. G. O'BRIEN,  
Secretary of State