

Nov 13

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

SENATE BILL No. 335

(By Mr. Love)



PASSED March 8, 1947

In Effect from Passage



335

ENROLLED

Senate Bill No. 335

(By MR. LOVE)

[Passed March 8, 1947; in effect from passage.]

AN ACT to compensate Lillian Brigode for personal injuries and to reimburse her for medical and hospital expenses incurred as a result of the collapse of seats or stands at a high school football game.

WHEREAS, On November third, one thousand nine hundred forty-five, Lillian Brigode, of South Charleston, Kanawha county, West Virginia, bought an admission ticket for a football game played on said day in the City of Saint Albans, Kanawha county, West Virginia, between teams of Saint Albans High School and South Charleston High School; and

WHEREAS, Pursuant to the rights and privileges granted by said ticket, the said Lillian Brigode attended said football game and was seated in a temporary bleacher type of stand erected under the jurisdiction, control and supervision of the board of education of Kanawha county, West Virginia, for the conveni-

ence of said Lillian Brigode and other invitees and spectators at said game; and

WHEREAS, While seated in said stands and during the progress of said football game, said stands collapsed by reason of the negligence of said board of education, its agents and employees in improperly constructing same, and said Lillian Brigode, together with other persons, was hurled violently to the ground; and

WHEREAS, As a result of so being hurled violently to the ground, the said Lillian Brigode suffered a fracture of the ninth dorsal and third lumbar vertebra, in addition to other cuts, contusions, abrasions and disabilities, and was hospitalized and necessarily incurred certain medical, hospital and other expenses; and

WHEREAS, Lillian Brigode was in no sense at fault in the premises; therefore,

Be it enacted by the Legislature of West Virginia:

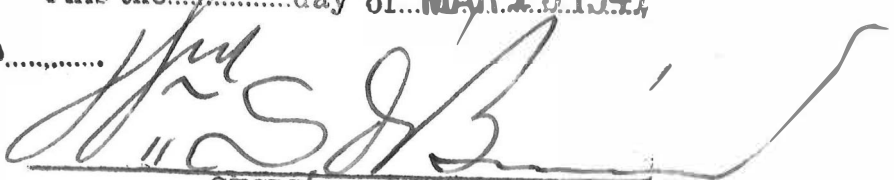
Section 1. *Appropriation for Lillian Brigode.*—It appearing from a statement of the revenues and appropriations for the fiscal year one thousand nine hundred forty-six-one thousand nine hundred forty-seven, that there

5 remains in the treasury, state fund general revenue, reve-
6 nue in excess of the amount hereby appropriated, there
7 is hereby appropriated from the treasury, state fund gen-
8 eral revenue, the sum of seven hundred ten dollars to
9 Lillian Brigode to compensate her for personal injuries
10 suffered and to reimburse her for medical and hospital
11 expenses incurred as a result of the collapse of stands at
12 a high school football game under the jurisdiction of the
13 board of education of Kanawha county, West Virginia.

Sec. 2. *Finding of Moral Obligation.*—It is hereby de-
2 clared to be the finding of the legislature, based upon its
3 conclusion of fact, that the appropriation made in section
4 one hereof is for the payment of a moral obligation of the
5 State of West Virginia.

I certify that the foregoing act
having been presented to the Governor for
his approval, and not having been returned
by him to the House of the Legislature in
which it originated within the time pre-
scribed by the constitution of the state, has
become a law without his approval.

This the.....day of...MAR 13 1947
19.....


SECRETARY OF STATE

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

Forest L. McNew
Chairman Senate Committee

R. J. Matthews
Chairman House Committee

Originated in the

Senate

Takes effect

from

passage.

Howard Myers
Clerk of the Senate

J. A. Kipp
Clerk of the House of Delegates

Arnold M. Vickers
President of the Senate

John E. Amos
Speaker House of Delegates

The within

this the

day of _____, 1947.

Governor.

