

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1955



ENROLLED

HOUSE BILL No. 21

(By Mr. Anderson)



PASSED Mar 7 1955

In Effect 90 days from Passage



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

MAR 15 1955

D. PITT O'BRIEN
SECRETARY OF STATE

ENROLLED
COMMITTEE SUBSTITUTE FOR
House Bill No. 21

[Passed March 7, 1955; in effect ninety days from passage.]

AN ACT to compensate Janice Heston, infant, by Charles Heston, her next friend, for personal injuries and to reimburse her for medical and hospital expenses incurred as a result of the collapse of the Mudlick schoolhouse floor, Winfield district, Marion county, West Virginia.

WHEREAS, On September twenty-fifth, one thousand nine hundred fifty-one, Janice Heston, infant, of Hammond, Marion county, West Virginia, who was a pupil at the Mudlick school, Winfield district, Marion county, West Virginia, attended school on said date; and

WHEREAS, Said school was under the jurisdiction, control and supervision of the board of education of Marion county, West Virginia, for the convenience of said Janice Heston and other school children; and

WHEREAS, While walking in the schoolhouse during school hours the floor of said schoolhouse collapsed by reason of the negligence of said board of education, its agents and employees, in improperly repairing and maintaining said floors and the said Janice Heston fell through said floor and was hurled violently to the ground; and

WHEREAS, As a result of said fall, the said Janice Heston suffered bruises, abrasions, cuts, contusions, and was hospitalized and necessarily incurred certain medical, hospital and other expenses; and

WHEREAS, Janice Heston was in no sense at fault in the premises; therefore,

Be it enacted by the Legislature of West Virginia:

Section. 1. *Appropriation for Janice Heston by Charles*

2 *Heston, her next friend.*—The board of education of

3 Marion county is hereby authorized as in its discretion it

4 may see fit to pay the sum of seventy-eight dollars and

5 twenty-five cents to Janice Heston by Charles Heston,

6 her next friend, to compensate her for personal injuries

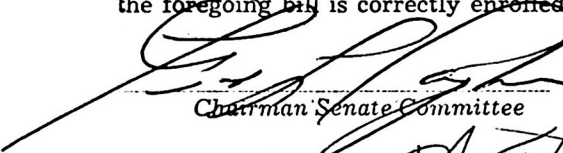
7 suffered, and to reimburse her for medical and hospital

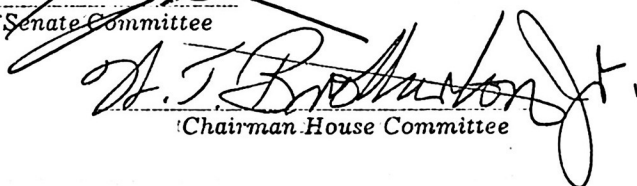
8 expenses incurred as a result of the collapse of the school-

9 house floor of Mudlick school, Winfield district, Marion
10 county, West Virginia, under the jurisdiction of the board
11 of education, Marion 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
5 the state of West Virginia.

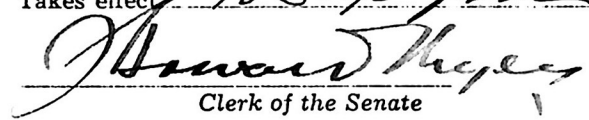
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled

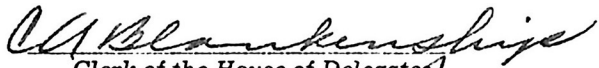

Chairman Senate Committee

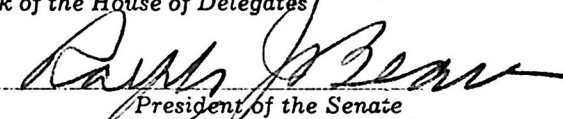

Chairman House Committee

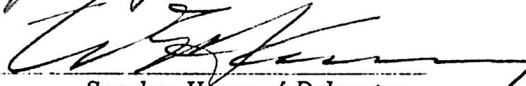
Originated in the House of Delegates

Takes effect 90 days from passage.

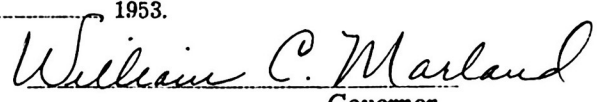

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 14
day of March 1953.


Governor

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of West Virginia MAR 15 1955

D. PITT O'BRIEN
SECRETARY OF STATE