ENROLLED

Senate Bill No. 226
(By Mr. Bean, Mr. President)

[Passed February 25, 1955; in effect ninety days from passage.]

AN ACT authorizing the board of education of Hardy county to reimburse Evelyn Williams for personal injuries, and for medical, hospital and other necessary expenses incurred as a result of the negligence of said board of education of Hardy county, and to declare a moral obligation to exist on the part of said board of education in favor of said Evelyn Williams.

WHEREAS, On the twenty-fifth day of September, one thousand nine hundred fifty-three, Evelyn Williams attended a meeting of the Parent Teachers Association at the Toll Gate school, near Moorefield, in Hardy county, West Virginia, and

WHEREAS, While attending said meeting the said Evelyn Williams started to take one of her children to a rest room
in said school building, the door to which rest room was located near a door leading to the basement in said school building, there being no markings or signs to indicate it was the proper door, and

Whereas, Said Evelyn Williams opened the door leading to the basement of said building, stepped through and immediately fell some eight feet to the basement floor, there being no steps leading into the basement other than a crude temporary ladder, and said area being unlighted, and

Whereas, As a result being hurled violently to said basement floor, the said Evelyn Williams suffered severe injuries, including three fractured vertebrae in her back and neck, in addition to severe strain and contusion of the muscles of her neck and back, and also severe lacerations, abrasions, contusions and shock, and

Whereas, The said Evelyn Williams suffered great physical pain and mental anguish, and was hospitalized for a long period of time, and necessarily incurred certain medical, hospital and other expenses; and

Whereas, Said Evelyn Williams was in no sense at fault in the premises; therefore,
Be it enacted by the Legislature of West Virginia:

Section 1. Authorization for Reimbursement.—The board of education of Hardy county, West Virginia, is hereby authorized, as in its discretion it may see fit, to reimburse Evelyn Williams for her personal injuries and for medical, hospital, and other necessary expenses suffered by her as a result of her fall on a stairway at the Toll Gate school near Moorefield, Hardy county, West Virginia, on September twenty-five, one thousand nine hundred fifty-three, which fall was caused by the negligence of said county board of education; Provided, however, That the authorization hereby granted to said county board of education shall not exceed the sum of three thousand dollars.

Sec. 2. Finding of Moral Obligation.—It is hereby declared to be the finding of the Legislature that a moral obligation on the part of the board of education of Hardy county exists in favor of said Evelyn Williams.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

[Signatures]

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 7th day of March, 1955.

[Signature]

Governor.