

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1955

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## ENROLLED

SENATE BILL NO. 226

(By Mr. Wester)

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PASSED February 25 1955

In Effect March 8 Passage

Filed In the Office of the Secretary of State  
of West Virginia MAR 8 1955  
D. PITT O'BRIEN  
SECRETARY OF STATE

**ENROLLED**  
**Senate Bill No. 226**

(By MR. BEAN, MR. PRESIDENT)

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

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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 incurrind 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  
2 board of education of Hardy county, West Virginia, is  
3 hereby authorized, as in its discretion it may see fit, to  
4 reimburse Evelyn Williams for her personal injuries  
5 and for medical, hospital, and other necessary expenses  
6 suffered by her as a result of her fall on a stairway at  
7 the Toll Gate school near Moorefield, Hardy county,  
8 West Virginia, on September twenty-five, one thousand  
9 nine hundred fifty-three, which fall was caused by the  
10 negligence of said county board of education; *Provided,*  
11 *however,* That the authorization hereby granted to said  
12 county board of education shall not exceed the sum of  
13 three thousand dollars.

Sec. 2. *Finding of Moral Obligation.*—It is hereby  
2 declared to be the finding of the Legislature that a moral  
3 obligation on the part of the board of education of  
4 Hardy county exists in favor of said Evelyn Williams.

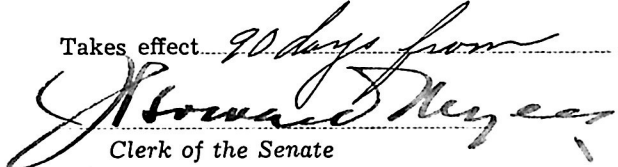
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

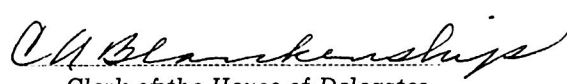
  
Chairman Senate Committee

  
Chairman House Committee

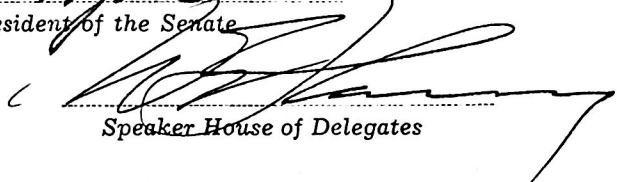
Originated in the Senate.

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 7  
day of March, 1955.

  
Governor.



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

MAR 8 1955

D. PITT ORRIN

SECRETARY OF STATE