ENROLLED

SENATE BILL NO. 324

(By Mr. )

PASSED

In Effect

FILED IN THE OFFICE OF THE SECRETARY OF STATE OF WEST VIRGINIA

D. PITT O'BRIEN
SECRETARY OF STATE
AN ACT authorizing the board of education of the county of Putnam to reimburse Lloyd Cain for personal injuries, and for medical, hospital, and other necessary expenses incurred as a result of the negligence of said board of education of Putnam county, and to declare a moral obligation to exist on the part of said board of education in favor of said Lloyd Cain.

WHEREAS, On the twenty-third day of October, one thousand nine hundred fifty-four, Lloyd Cain attended a football game played between Buffalo high school of Putnam county, West Virginia, and Hamlin high school of Lincoln county, West Virginia; and

WHEREAS, While observing the said game at the Buffalo high
school football field in Buffalo, Putnam county, West Virginia, as a spectator, certain football players of the Buffalo high school football team and the Hamlin high school football team ran off the playing field and into and on the said Lloyd Cain, who as a spectator was standing near the playing field with other spectators where he had a right to be and where he would have ordinarily been free from danger, and seriously injured the said Lloyd Cain fracturing his right hip and leg; and

WHEREAS, The said Lloyd Cain suffered great physical pain and mental anguish, was hospitalized and was confined to bed for a long period of time, and necessarily incurred certain medical, hospital and other expenses and lost approximately six months from his employment at a salary of three hundred twenty-five dollars per month; and

WHEREAS, Said Lloyd Cain 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 the county of Putnam, West Virginia, is hereby authorized as in its discretion it may see fit, to
reimburse Lloyd Cain for his personal injuries and for
medical, hospital and other necessary expenses suffered
by him as a result of an accident whereby he was run
into and pinned beneath certain football players of the
Buffalo high school and Hamlin high school teams, at the
Buffalo high school football field, Buffalo, Putnam county,
West Virginia, on October twenty-third, one thousand
nine hundred fifty-four, which said players ran off the
playing field and into the area occupied by spectators,
including the said Lloyd Cain, thereby seriously injuring
the said Lloyd Cain, and which said accident and injury
was caused by the negligence of said county board of
education for the protection of spectators at such athletic
events: Provided, however, That the authorization hereby
granted to said board of education of the county of Put-
nam shall not exceed the sum of two thousand five hun-
dred dollars.

Sec. 2. Finding of Moral Obligation.—It is hereby de-
clared to be the finding of the Legislature that a moral
obligation on the part of the board of education of the
county of Putnam exists in favor of said Lloyd Cain.
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 _______ 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 16th day of March, 1955.

Governor.

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

D. Pitt O'Brien
Secretary of State