

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 245

(By Mr. Marler.....)

PASSED March 2.....1957

In Effect From.....Passage



ENROLLED
Senate Bill No. 248
(By MR. MARTIN)

[Passed March 2, 1957; in effect from passage.]

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

WHEREAS, On the seventh day of September, one thousand nine hundred fifty-six, Elizabeth DeHaven, a student of Burke street school in Berkeley county, West Virginia, was present on the playground of said school, under authorization of the authorities of said school; and

WHEREAS, While there present upon said playground the said Elizabeth DeHaven was seriously injured by a steel window

sash, which was dislodged from a second story window of the school building, falling to the playground, striking the said Elizabeth DeHaven; and

WHEREAS, As a result of being so struck the said Elizabeth DeHaven suffered severe injuries, and necessarily incurred certain medical, hospital and other expenses; and

WHEREAS, Said Elizabeth DeHaven was in no sense at fault on the premises; therefore,

Be it enacted by the Legislature of West Virginia:

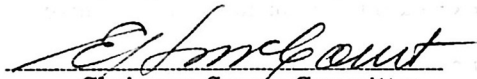
Section 1. *Authorization for Reimbursement.*—The
2 board of education of Berkeley county, West Virginia, is
3 hereby authorized, as in its discretion it may see fit, to
4 pay the necessary expenses incurred by Elizabeth De-
5 Haven and/or her parents, for hospital, medical and other
6 treatment necessitated as a result of the said Elizabeth
7 DeHaven being injured by a steel window sash becoming
8 dislodged from a second story window of the Burke street
9 school, Berkeley county, West Virginia, on September
10 seven, one thousand nine hundred fifty-six, and falling
11 upon her, which injury was caused by the negligence of
12 said county board of education: *Provided, however, That*

13 the authorization hereby granted to said county board of
14 education shall not exceed the sum of four hundred fifty-
15 three dollars and 70 cents.

Sec. 2. *Finding of Moral Obligation.*—It is hereby de-
2 clared to be the finding of the Legislature that a moral
3 obligation on the part of the board of education of Berke-
4 ley county exists in favor of said Elizabeth DeHaven.



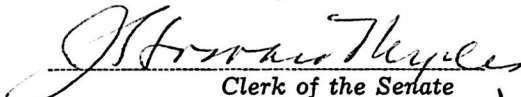
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

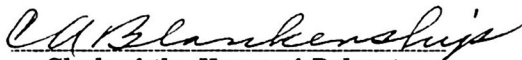

Chairman Senate Committee

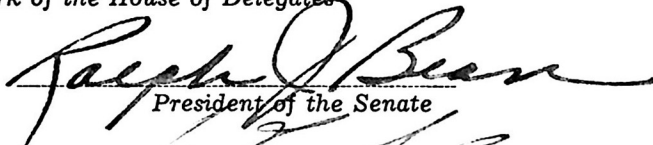

Chairman House Committee

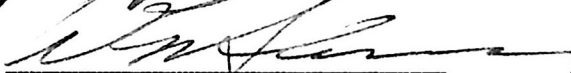
Originated in the Senate.

Takes effect 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 12th
day of March 1957.


Governor



Filed In the Office of the Secretary of State
of West Virginia, MAR 12 1957

D. PITT O'BRIEN
SECRETARY OF STATE