

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



## ENROLLED

HOUSE BILL No. 463

(By Mr. Speaker, Mr. Harney)



PASSED March 13 1953

In Effect July 1, 1953 Passage



463

**ENROLLED**

**House Bill No. 463**

(By MR. SPEAKER, MR. FLANNERY)

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[Passed March 13, 1953; in effect July 1, 1953.]

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AN ACT to amend and reenact section seven, article one, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the governor's staff of the national guard and to the appointment, qualifications, duties and compensation of the adjutant general.

*Be it enacted by the Legislature of West Virginia:*

That section seven, article one, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 7. *Governor's Staff: Adjutant General.*—The  
2 staff of the governor shall consist of one adjutant general  
3 with rank of brigadier general, an assistant adjutant gen-  
4 eral with rank not above that of colonel, and, in addition  
5 thereto, such other officers as may be currently prescribed  
6 by existing tables of organizations as established by  
7 federal authority. The governor may also appoint and

8 commission an honorary staff to serve during his term  
9 of office, of such number as he may deem advisable, with  
10 such rank as he may fix, which honorary staff will not be  
11 held to be a part of the regularly organized militia.

12 The adjutant general shall be appointed and commis-  
13 sioned by the governor, but no person shall be appointed  
14 adjutant general unless such person has had at least six  
15 years' service in the national guard of this or some other  
16 state, or in the armed forces of the United States, or in  
17 all combined.

18 In time of peace he shall perform the duties of chief of  
19 the pay, quartermaster and ordnance departments unless  
20 otherwise ordered by the governor, and shall give bond in  
21 such sum as the governor may require, such bond to be  
22 provided in like manner as the bonds of other officers.  
23 He shall receive a compensation of seven thousand dollars  
24 per annum, which shall be paid to him in equal monthly  
25 installments, and his term of office shall be for four years.  
26 He shall attest, record, and seal with the seal of the state  
27 all commissions issued by the governor, and keep a  
28 register of all commissioned officers, with dates of com-

29 mission, and all changes occurring in the commissioned  
30 force, and shall keep a full and complete record at all  
31 times of the organized militia of the state. He shall, as  
32 soon as possible after the first day of July in even years,  
33 make a biennial report to the governor of the transactions  
34 and the expenditures of his department and the condi-  
35 tion of the national guard. Such report shall show all  
36 receipts into the military or militia fund of the state  
37 from every source, including fines, appropriations from  
38 the state, and all money received from the federal govern-  
39 ment and from every other source. All such funds and  
40 moneys shall be paid into the state treasury as soon as  
41 received, and shall be credited to the military fund. Such  
42 report shall also show in detail all expenditures made  
43 from each fund, and the purpose of the expenditures,  
44 and shall state such other details as the governor may  
45 order; and the report shall be communicated by the  
46 governor to the next session of the legislature. He shall  
47 also make such other reports and returns as may be re-  
48 quired by the governor from time to time. He shall cause  
49 to be procured, prepared and issued to the different

50 organizations of the national guard all necessary books  
51 and blanks for reports, records, returns and general  
52 administration, and shall, at the expense of the state,  
53 cause the military laws, military code, and rules and  
54 regulations in force to be printed, bound in proper form,  
55 and distributed, one copy to each commissioned officer,  
56 and one each to all the circuit, intermediate and criminal  
57 court judges, sheriffs, assessors, and justices of the peace  
58 in the state requiring them; and shall procure and supply  
59 all necessary textbooks of drill and instruction. He shall  
60 keep in his office an accurate account of all state and  
61 United States property issued to the state. He shall keep  
62 on file in his office all official bonds, except the bond of  
63 the adjutant general, which shall be filed with the auditor  
64 of the state; the reports and returns of troops and heads  
65 of military departments; and all other writings and  
66 papers which are required to be transmitted to and per-  
67 served at the general headquarters of the state militia.  
68 He shall employ such clerical force and assistants as  
69 may be required in the military department, in addition  
70 to the assistant adjutant general herein authorized. He

71 shall keep records of all service personnel from the state  
72 of West Virginia, commissioned or enlisted, in any of the  
73 wars of the United States, and of individual claims of  
74 citizens of West Virginia for service rendered in such  
75 wars. He shall assist all persons residing in this state  
76 having claims against the United States for pension,  
77 bounty or back pay, or such claims as have arisen out of,  
78 or by reason of, service in any of said wars. To this end  
79 he shall cooperate with the agents or attorneys of such  
80 claimants, furnish to claimants only all necessary certifi-  
81 cates or certified abstracts from, or copies of, records or  
82 documents in his office, and shall in all practicable ways  
83 seek to secure speedy and just action in all claims now  
84 pending or which may hereafter be filed: *Provided*, That  
85 any and all of the above services shall be rendered with-  
86 out charge to the claimant. He shall establish and main-  
87 tain as a part of his office a bureau of records of the serv-  
88 ices of the West Virginia troops during such wars, and  
89 shall keep arranged in proper and convenient form all  
90 records and papers pertaining thereto.

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

*Wm Kinley*  
Chairman Senate Committee

*C. H. Hubler*  
Chairman House Committee

Originated in the House of Delegates

Takes effect *July 1, 1953* passage.

*Howard Meyer*  
Clerk of the Senate

Clerk of the House of Delegates

*Ralph Bean*  
President of the Senate

*W. E. Hannon*  
Speaker House of Delegates

The within *approved* this the *20th*  
day of *March*, 1953.

*William C. Macland*  
Governor



FILED IN THE OFFICE OF THE SECRETARY OF STATE  
OF VIRGINIA

MAR 20 1953

D. PITT O'BRIEN,

SECRETARY OF STATE