

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1955



ENROLLED

HOUSE BILL No. 433

(By Mr. Mitchell)



PASSED Mar 7 1955

In Effect from Passage



MAR 15 1955

ENROLLED
House Bill No. 433
(BY MR. FRANCIS)

[Passed March 7, 1955; in effect from passage.]

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 last amended by House Bill No. 59, an act of the Legislature, regular session, one thousand nine hundred fifty-five, relating to qualifications 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 last amended by House Bill No. 59, an act of the Legislature, regular session, one thousand nine hundred fifty-five, 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 gen-
3 eral with the rank of brigadier general or such higher

4 rank as determined by the governor, an assistant adju-
5 tant general with rank not above that of colonel, and, in
6 addition thereto, such other officers as may be currently
7 prescribed by existing tables of organizations as estab-
8 lished by federal authority. The governor may also ap-
9 point and commission an honorary staff to serve during
10 his term of office, of such number as he may deem advis-
11 able, with such rank as he may fix, which honorary staff
12 will not be held to be a part of the regularly organized
13 militia.

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

20 In time of peace he shall perform the duties of chief
21 of the pay, quartermaster and ordnance departments un-
22 less otherwise ordered by the governor, and shall give
23 bond in such sum as the governor may require, such
24 bond to be provided in like manner as the bonds of other

25 officers. He shall receive a compensation of seven thou-
26 sand dollars per annum, which shall be paid to him in
27 equal monthly installments, and his term of office shall
28 be for four years. He shall attest, record, and seal with
29 the seal of the state all commissions issued by the gov-
30 ernor, and keep a register of all commissioned officers,
31 with dates of commission, and all changes occurring in the
32 commissioned force, and shall keep a full and complete
33 record at all times of the organized militia of the state.
34 He shall, as soon as possible after the first day of July
35 in even years, make a biennial report to the governor of
36 the transactions and the expenditures of his department
37 and the condition of the national guard. Such report
38 shall show all receipts into the military or militia fund
39 of the state from every source, including fines, appro-
40 priations from the state, and all money received from
41 the federal government and from every other source.
42 All such funds and moneys shall be paid into the state
43 treasury as soon as received, and shall be credited to
44 the military fund. Such report shall also show in detail
45 all expenditures made from each fund, and the purpose


46 of the expenditures, and shall state such other details as
47 the governor may order; and the report shall be com-
48 municated by the governor to the next session of the
49 legislature. He shall also make such other reports and
50 returns as may be required by the governor from time
51 to time. He shall cause to be procured, prepared and
52 issued to the different organizations of the national guard
53 all necessary books and blanks for reports, records, re-
54 turns and general administration, and shall, at the ex-
55 pense of the state, cause the military laws, military code,
56 and rules and regulations in force to be printed, bound
57 in proper form, and distributed, one copy to each com-
58 missioned officer, and one each to all the circuit, inter-
59 mediate and criminal court judges, sheriffs, assessors,
60 and justices of the peace in the state requiring them;
61 and shall procure and supply all necessary textbooks of
62 drill and instruction. He shall keep in his office an ac-
63 curate account of all state and United States property
64 issued to the state. He shall keep on file in his office all
65 official bonds, except the bond of the adjutant general,
66 which shall be filed with the auditor of the state; the

67 reports and returns of troops and heads of military de-
68 partments; and all other writings and papers which are
69 required to be transmitted to and preserved at the gen-
70 eral headquarters of the state militia. He shall employ
71 such clerical force and assistants as may be required in
72 the military department, in addition to the assistant ad-
73 jutant general herein authorized. He shall keep records
74 of all service personnel from the state of West Virginia,
75 commissioned or enlisted, in any of the wars of the
76 United States, and of individual claims of citizens of West
77 Virginia for service rendered in such wars. He shall
78 assist all persons residing in this state having claims
79 against the United States for pension, bounty or back pay,
80 or such claims as have arisen out of, or by reason of,
81 service in any of said wars. To this end he shall cooperate
82 with the agents or attorneys of such claimants, furnish
83 to claimants only all necessary certificates or certified
84 abstracts from, or copies of, records or documents in his
85 office, and shall in all practicable ways seek to secure
86 speedy and just action in all claims now pending or which
87 may hereafter be filed: *Provided*, That any and all of the

88 above services shall be rendered without charge to the
89 claimant. He shall establish and maintain as a part of
90 his office a bureau of records of the services of the West
91 Virginia troops during such wars, and shall keep ar-
92 ranged in proper and convenient form all records and
93 papers pertaining thereto.

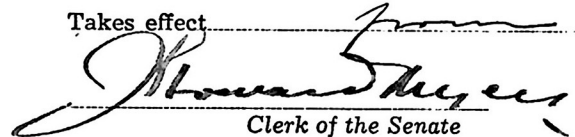
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



Chairman Senate Committee

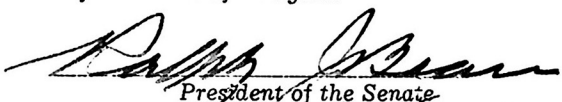

Chairman House Committee

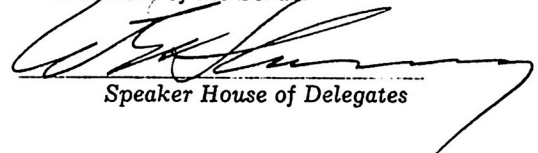
Originated in the House of Delegates

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 14
day of March, 1953.


Governor

Filed in the Office of the Secretary of State
of West Virginia. **MAR 15 1953**
D. PITT O'BRIEN
SECRETARY OF STATE