

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1955



# ENROLLED

HOUSE BILL No. 59

(By Mr. Francis)



PASSED February 3 1955

In Effect from Passage



Filed In the Office of the Secretary of State  
of West Virginia. FEB 11 1955

D. PITT O'BRIEN  
SECRETARY OF STATE

**ENROLLED**  
**House Bill No. 59**  
(By MR. FRANCIS)

[Passed February 3, 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 amended, relating to the rank and 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 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 the rank of brigadier general or such higher rank  
4 as determined by the governor, an assistant adjutant  
5 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  
11 advisable, with such rank as he may fix, which honorary  
12 staff will not be held to be a part of the regularly or-  
13 ganized 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  
18 this or some other state.

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


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

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

71 keep records of all service personnel from the state of  
72 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  
88 services of the West Virginia troops during such wars,  
89 and shall keep arranged in proper and convenient form  
90 all records and papers pertaining thereto

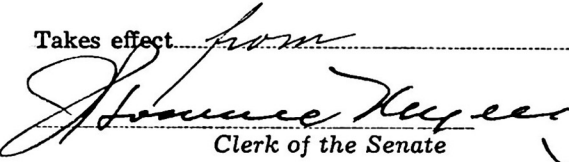
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

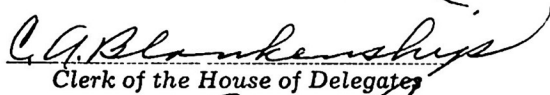
  
Chairman Senate Committee

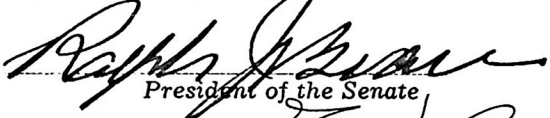
  
Chairman House Committee

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 9  
day of February, 1955.

  
Governor

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of West Virginia **FEB 11 1955**

D. PITT O'BRIEN  
SECRETARY OF STATE