WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED
SENATE BILL NO. 321

(By Mr.)

PASSED March 17, 1957

In Effect
ENROLLED

Senate Bill No. 321
(By MR. CARRIGAN AND MR. BOWERS)

(Passed March 7, 1957; in effect ninety days from passage.)

AN ACT authorizing the county court of Marshall county to acquire, construct, finance, lease and convey an armory.

Be it enacted by the Legislature of West Virginia:

Section 1. Marshall County Armory.—The county court of Marshall county is hereby authorized and empowered to acquire and construct armories and other military facilities, to make necessary provision for their maintenance, operation and repair and to convey the same to the state armory board or other proper authority authorized to take title to the same upon payment of the cost of acquisition or construction of the military portion thereof, and
in furtherance of such authority are specifically authorized
and empowered:

(a) To acquire, by grant, gift, condemnation or other lawful means all necessary real estate, permits, easements and other rights in real estate, and title to and possession thereof, and to convey the same.

(b) To construct, equip, furnish, operate, maintain and repair armories and other military facilities in accordance with the specifications of federal or state authority and to further incorporate therein such additional facilities as may be deemed appropriate to provide for recreational, educational and cultural benefits to the community in which the same may be located and for the furtherance of the general welfare: Provided, however, That such additional improvements and facilities shall not interfere with the primary military purpose or function of said armory or other military facility.

(c) To borrow funds from the United States government, the public works administration or other governmental agency authorized to make loans, or any bank or financial institution authorized by law to make loans or
any person for the purpose of acquiring, constructing, furnishing and equipment of said armory or other military facility, and for the purpose of acquiring real estate therefor.

(d) To issue bonds for the purpose of paying the cost of acquisition, construction, furnishing and equipment of such armory or other military facility and the necessary real estate therefor and to pledge a sufficient amount of revenue, within the limitations of article twelve, section eight of the constitution of this state and within the limitations as provided by general law, to pay the principal of said bonds and interest thereon within a period not to exceed thirty years. Such bonds shall be issued in accordance with the provisions of article one, chapter thirteen of this code, and, in the case of counties, in accordance with the further provisions of article three, chapter seven of this code.

(e) To make provision for the participation of the United States government or any federal agency in the financing of the acquisition, construction, furnishing and equipment of said armory or other military facility and
to accept and use any gift, grant, donation or other monies provided by the United States government or any federal agency or from any other source and to appropriate and use the same in the acquisition, construction, furnishing and equipment of said armory or other military facility.

(f) To make and enter into such contract or lease with the adjutant general or other officer or agency of this state authorized to make the same for the acquisition, construction, furnishing, equipment, leasing and renting of any armory or other military facility acquired or constructed under the provisions of this section, with the privilege and authority of the adjutant general or other state officer or agency of renewing said lease from year to year for any period of years not exceeding thirty years, and with the right to purchase said armory or other military facility and the real estate on which the same is situated, and to apply towards the purchase price thereof any and all rentals paid for the use thereof.

(g) To convey to the adjutant general, the state armory
board or to any other state officer or agency authorized by law and designated by the adjutant general to hold title thereto any armory or other military facility acquired or constructed under the provisions of this section when there shall have been paid either through rent or rentals paid under the lease-purchase contract authorized by this section or otherwise an amount agreed upon by the county, and the adjutant general or other officer authorized by law to make such agreement, representing that portion of the total cost of such armory or other military facility, exclusive of any gift, grant, donation or other monies received from the United States government or any federal agency or from any other source, incurred in compliance with the military specifications of federal or state authority.

(h) To do and perform any and all acts and make all contracts necessary to effectuate the general purposes of this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. H. McCourt
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

Takes effect [Day and date] passage.

[Signature]
Clerk of the Senate

C.A. Blankenship
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 15th day of March, 1957.

[Signature]
Governor

Filed in the Office of the Secretary of State of West Virginia, MAR 15, 1957.

D. Pitt O'Brien
Secretary of State