

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 321

(By Mr. Frederick A. Lewis)

PASSED March 7 1957

In Effect Emergency Clause Passage

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
2 court of Marshall county is hereby authorized and empow-
3 ered to acquire and construct armories and other military
4 facilities, to make necessary provision for their mainten-
5 ance, operation and repair and to convey the same to the
6 state armory board or other proper authority authorized
7 to take title to the same upon payment of the cost of acqui-
8 sition or construction of the military portion thereof, and

9 in furtherance of such authority are specifically authorized
10 and empowered:

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

15 (b) To construct, equip, furnish, operate, maintain
16 and repair armories and other military facilities in ac-
17 cordance with the specifications of federal or state author-
18 ity and to further incorporate therein such additional
19 facilities as may be deemed appropriate to provide for
20 recreational, educational and cultural benefits to the com-
21 munity in which the same may be located and for the
22 furtherance of the general welfare: *Provided, however,*
23 That such additional improvements and facilities shall not
24 interfere with the primary military purpose or function of
25 said armory or other military facility.

26 (c) To borrow funds from the United States govern-
27 ment, the public works administration or other govern-
28 mental agency authorized to make loans, or any bank or
29 financial institution authorized by law to make loans or

30 any person for the purpose of acquiring, constructing,
31 furnishing and equipment of said armory or other military
32 facility, and for the purpose of acquiring real estate there-
33 for.

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

47 (e) To make provision for the participation of the
48 United States government or any federal agency in the
49 financing of the acquisition, construction, furnishing and
50 equipment of said armory or other military facility and

51 to accept and use any gift, grant, donation or other
52 monies provided by the United States government or any
53 federal agency or from any other source and to appro-
54 priate and use the same in the acquisition, construction,
55 furnishing and equipment of said armory or other military
56 facility.

57 (f) To make and enter into such contract or lease
58 with the adjutant general or other officer or agency of
59 this state authorized to make the same for the acquisi-
60 tion, construction, furnishing, equipment, leasing and
61 renting of any armory or other military facility acquired
62 or constructed under the provisions of this section, with
63 the privilege and authority of the adjutant general or
64 other state officer or agency of renewing said lease from
65 year to year for any period of years not exceeding
66 thirty years, and with the right to purchase said armory
67 or other military facility and the real estate on which
68 the same is situated, and to apply towards the pur-
69 chase price thereof any and all rentals paid for the use
70 thereof.

71 (g) To convey to the adjutant general, the state armory

72 board or to any other state officer or agency authorized by
73 law and designated by the adjutant general to hold title
74 thereto any armory or other military facility acquired or
75 constructed under the provisions of this section when
76 there shall have been paid either through rent or rentals
77 paid under the lease-purchase contract authorized by this
78 section or otherwise an amount agreed upon by the county,
79 and the adjutant general or other officer authorized by
80 law to make such agreement, representing that portion
81 of the total cost of such armory or other military
82 facility, exclusive of any gift, grant, donation or other
83 monies received from the United States government or
84 any federal agency or from any other source, incurred
85 in compliance with the military specifications of federal
86 or state authority.

87 (h) To do and perform any and all acts and make all
88 contracts necessary to effectuate the general purposes of
89 this section.

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

E. H. McCourt
Chairman Senate Committee

William C. McChesney
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Howard Myers
Clerk of the Senate

W. B. Blankenship
Clerk of the House of Delegates

Ralph J. Bean
President of the Senate

W. E. Ham
Speaker House of Delegates

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

Leif Thudumort
Governor



Filed In the Office of the Secretary of State
of West Virginia

MAR 15 1957

D. PITT O'BRIEN
SECRETARY OF STATE