

WEST VIRGINIA PERSONAL INCOME TAX ACT

RULES AND REGULATIONS

CHAPTER 11, ARTICLE 21

SERIES V

AMENDED 1981

OFFICE
SECY. OF STATE

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WEST VIRGINIA PERSONAL INCOME TAX ACT

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CHAPTER 11, ARTICLE 21

SERIES V

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IT Reg. § 1.12.1. Income received by persons 65 and over or permanently and totally disabled. Beginning January 1, 1980, an individual, regardless of age, who was certified as being permanently and totally disabled during the taxable year, or an individual who attained the age of 65 before the end of the taxable year may be eligible for certain modifications which will reduce their federal adjusted gross income up to \$8,000.00 for West Virginia income tax purposes. The following definitions shall be used to determine the taxpayer's eligibility for this modification.

(a) Definition of permanently and totally disabled. An individual is permanently and totally disabled if he or she is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental condition which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve (12) months.

(b) Definition of proper authority to certify permanent and total disability. A physician licensed to practice medicine, is the proper authority to certify that individuals are permanently and totally disabled. A certification of permanent and total disability issued by a qualified physician applicable to the current tax year must accompany each tax return for which the exclusion is claimed.

(c) Definition of surviving spouse. Surviving spouse shall mean the husband or wife (regardless of age) remaining alive after the death during the current tax year of a permanently and totally disabled individual or an individual who had attained the age of 65 prior to his or her death during the current tax year, provided such surviving spouse does not remarry.

(d) All certifications of permanent and total disability shall be given subject to penalties for perjury as set forth in West Virginia Code § 61-5-3, 1931, as amended.



**OFFICE OF THE SECRETARY OF STATE
ROOM 157, CAPITOL BUILDING
CHARLESTON 25305**

A. JAMES MANCHIN
SECRETARY OF STATE

CHARLES E. CAPET
UNDERSECRETARY OF STATE

THE MOVEMENT FOR WEST VIRGINIA STATEHOOD

JOHN M. PRATT
DEPUTY FOR PUBLIC AFFAIRS

The movement for West Virginia statehood had its origins in differences between eastern and western Virginia that existed long before June 20, 1863. One of the most striking of these differences lay in conditions of geography. The Tidewater and Piedmont regions of eastern Virginia were comprised of lowlands and gently rolling hills, which together with a mild climate and rich soils, made them excellent for the growing of tobacco and other plantation type crops. The Allegheny and Trans-Allegheny parts of Virginia, on the other hand, were often hilly regions with poor, thin soils and extremes of climate. Here the small diversified farm prevailed. A second major difference appeared in people themselves. The inhabitants of eastern Virginia were largely English in origin, whereas those of the western part of the state were primarily German and Scotch-Irish. Eastern Virginians were often Anglican or Episcopalian in their religious ideas, but dissenting sects such as Methodists, Baptists and Presbyterians predominated in western Virginia almost from the beginning.

As time passed, other differences began to appear between eastern and western Virginia. These included conflicting views on such questions as education, internal improvements, taxation and the basis for representation. The western parts of the state complained that they were neglected in education and internal improvements. On the other hand, they maintained that they were under-represented in the Virginia General Assembly and bore an unfair share of the taxes. In the Constitutional Convention of 1829-1830, the West demanded an extension of the suffrage, the election rather than appointment of county officers, and a redistribution of seats in the Virginia legislature which would reflect the growing population of the west.

The demands of the westerners were only partially met by the new constitution. The legislature was still chosen on the basis of apportioning the number of delegates by sections, which left the west in an unfavorable position. The western contention that voting should be on the basis of "one man, one vote" rather than a mixed basis of white population and direct taxes also failed to become a reality. The Convention of 1829-1830 left the westerners with a feeling of bitterness that was often manifested in agitation for separation from Virginia and the formation of a new state.

The failure of the Convention of 1829-1830 to achieve a solution of the state's problems that would satisfy both easterners and westerners led to a second major effort to bring about constitutional change. In 1850, representatives from eastern Virginia appeared more willing to make concessions to the western part of the state. Changes in the constitution now provided that representation in the House of Delegates was to be on the basis of white population. The suffrage was extended to all males over twenty-one years of age and a large number of state and county offices became elective. On the other hand, there were disadvantages for the west in that it now became unconstitutional to pledge the credit of the state for the construction of internal improvements, such as roads and canals and to use lotteries as a means of raising money, even for educational and religious purposes.

Now that the preliminary approval had been indicated by Virginia, a convention assembled at Wheeling on November 26, 1861, to draw up a constitution for the proposed new state. The first session, with a membership of fifty-three persons, lasted from November 26, 1861, to February 18, 1862. A recalled session with fifty-six members lasted from February 12 to February 20, 1863. Neither Webster nor Monroe counties was represented in either session. Other counties, such as Pendleton, Pocahontas, Greenbrier and Morgan were represented only in the recalled session. Still other counties, such as Calhoun, Clay, Fayette, Logan, McDowell, Mercer, Whoming and Nicholas, had somewhat irregular representation because of the unfavorable military situation which then prevailed. The representatives to the constitutional convention were largely native West Virginians. Most of them were farmers or ministers by occupation. The Methodists were particularly well represented giving rise to the oft-repeated assertion that "the Methodists made West Virginia."

In taking up the question of a name for the new state the convention ultimately rejected the name "Kanawha" and chose "West Virginia" instead. This change in name was justified on the grounds that there was already a Kanawha County and a Kanawha River and that further use of that name might make for confusion. The boundaries of the new state were to include the original thirty-nine counties named in the dismemberment ordinance, but provisions were now made to include as many as thirty-one more counties. This latter group to include the rich counties which lay along the Virginia and Tennessee Railroad, those counties lying along the main ridge of the Alleghenies, and those which would enable the state to control the Baltimore and Ohio Railroad.

The new constitution, as might have been expected, made most state offices elective. It provided for a governor who would serve a two-year term and be eligible to succeed himself. The legislature was to meet annually with sessions to last forty-five days. Suffrage was on the basis of white male population. A "Yankee" innovation was the creation of townships of which there were to be from three to ten to each county. Through these township meetings a system of free schools was to operate. One of the interesting features of the constitution lay in its failure to provide for the abolition of slavery. Instead slavery was indirectly recognized by providing for the taxation of all property at its true and actual value.

With the questions of a name for the new state, its boundaries, and its constitution out of the way, the next major step was to secure the official consent of Virginia for the formation of the new state of West Virginia from territory within her borders. At this time, however, Virginia had two governments. First, there was the government at Richmond which had given its support to the Confederacy. Secondly, there was the Reorganized Government at Wheeling under Francis H. Pierpont, which had given its loyalty to the Union. Since the sympathies of the proposed new state of West Virginia would favor the Union, it was but natural that the leaders of the West Virginia statehood movement should seek permission from the Pierpont government. On May 13, 1862, Pierpont called the Virginia General Assembly into session and on that day it gave its consent for the partition of the state and the formation of West Virginia.

Other obstacles still lay in the path of West Virginia statehood. The action of the Virginia Reorganized Government must yet be approved by the United States Congress and the President. In Congress, the West Virginia Statehood Bill was referred to the Senate Committee on Territories. Since John S. Carlile was now chairman of this committee, it might seem that there would be no serious difficulty for the bill. However, at this time Carlile engaged in actions which even yet are difficult to understand. After several delays, he amended the West Virginia Statehood Bill so that it would include fifteen additional counties, only three of which had been mentioned in the constitution for the proposed state. Furthermore, he added to the bill an enabling act which authorized the proposed state to call another constitutional convention. When this second constitution had been ratified by the people and approved by the Virginia Assembly, the statehood measure would then go directly to the President for his signature if, in the

drilled and new people came in. In 1892, West Virginia exceeded all other states in building of railroads and the state was on her way.

Thus was launched the new state the "Mountain State," which, in 1963, commemorated one hundred years of statehood and more than two hundred years of proud and honorable history.

C O P Y

PROCLAMATION ADMITTING WEST VIRGINIA INTO THE UNION

April 20, 1863

By the President of the United States of America

A Proclamation

Whereas, by the Act of Congress approved the 31st day of December, last, the State of West Virginia was declared to be one of the United States of America, and was admitted into the Union on an equal footing with the original States in all respects whatever, upon the condition that certain changes should be duly made in the proposed Constitution for that State;

And, whereas, proof of a compliance with that condition as required by the Second Section of the Act aforesaid, has been submitted to me;

Now, therefore, be it known, that I Abraham Lincoln, President of the United States, do, hereby, in pursuance of the Act of Congress aforesaid, declare and proclaim that the said act shall take effect and be in force, from and after sixty days from the date hereof.

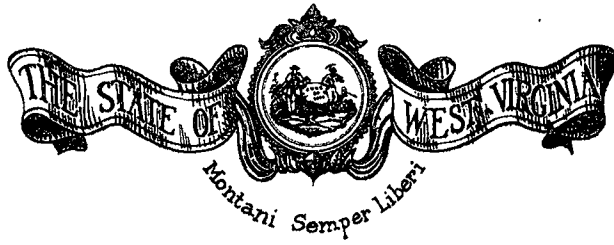
In witness whereof, I have hereunto set my hand and caused the Seal of the United States to be affixed.

Done at the city of Washington, this twentieth day of April, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

Abraham Lincoln

By the President:

William H. Seward, Secretary of State.



OFFICE OF THE SECRETARY OF STATE
CHARLESTON 25305

A. JAMES MANCHIN
SECRETARY OF STATE

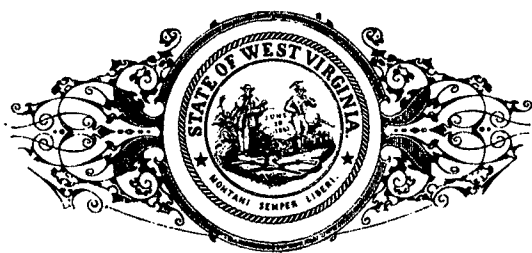
WILLIAM H. HARRINGTON
DIRECTOR OF THE PEOPLE'S OFFICE

UNUSUAL FACTS ABOUT "THE MOUNTAIN STATE" ARE:

1. West Virginia's Memorial Tunnel was the first in the nation to be monitored by television. It opened November 8, 1954.
2. The first through train (Baltimore and Ohio) from the Atlantic Ocean to the Ohio River reached Wheeling, West Virginia on January 1, 1853.
3. The first bank established in western Virginia, "The Northwestern Bank of Virginia," opened in Wheeling on February 5, 1817.
4. The first battle of the American Revolution was fought at Point Pleasant, West Virginia, October 10, 1774, when General Andrew Lewis and his forces defeated the Indians under Cornstalk, winning the Northwest for the Colonial side.
5. Bailey Brown, the first Union Soldier killed in the Civil War died on May 22, 1861, at Fetterman, Taylor County, West Virginia.
6. Mother's Day originated in West Virginia on May 10, 1908, by Anna Jarvis of Grafton, West Virginia.
7. The first land battle of the Civil War was fought at Philippi on June 3, 1861.
8. Mrs. Francis Pierpont of Fairmont, West Virginia, originated the movement that on May 30, 1868, became officially Decoration Day.
9. The last battle of the Revolutionary War was fought at Fort Henry, Wheeling, September 10, 1782.
10. The first rural free mail delivery was started in Charles Town on October 6, 1896, and then spread over the United States.
11. The first telephone installed in West Virginia was in Wheeling on May 15, 1880, between the Beherns Brother's grocery stores.
12. The first "trust" in the United States was formed in the Kanawha Valley where all salt wells were combined November 10, 1817.
13. West Virginia was the first state to have sales tax. It became effective July 1, 1921.
14. John Brown's raid at Harpers Ferry occurred On October 16, 1859.
15. On June 20, 1863, West Virginia was admitted as the 35th State of the Union.
16. On April 9, 1865, the first public free school in the State opened at Charleston.
17. The first steamboat was launched by James Rumsey in the Potomac at Mecklenburg (Shepherdstown), West Virginia, on December 3, 1787.
18. The Fairfax Stone, erected October 23, 1746, at the corner of Tucker and Grant Counties, West Virginia, marks the western boundary of land granted to Lord Fairfax by the King of England. This was the first monument erected to mark ownership in the State.
19. On September 23, 1863, the Legislature of West Virginia adopted the State Seal.
20. On January 23, 1903, the Legislature of West Virginia adopted the State Flower, the Rhododendron.

UNUSUAL FACTS
PAGE THREE

40. The first electric railroad in the world, built as a commercial enterprise, was constructed between Huntington and Guyandotte, West Virginia.
41. The first telegraph lines reach West Virginia at Wheeling in 1847.
42. The first memorial building to World War I veterans, located in Welch, West Virginia, was dedicated on May 30, 1923.
43. Charles Yeager, of Hamlin, West Virginia, made the first "Faster-than-Sound" flight on October 14, 1948.
44. What is said to be the third largest one-piece rug in the world, 60 x 26 feet, is in the Governor's Reception Room at the State Capitol in Charleston. The Capitol Building was occupied on June 20, 1932.
45. On September 10, 1938, the Mingo Oak, largest and oldest white oak tree on record in the United States, was declared dead and felled with ceremony.
46. Coal House, the only residence built completely of coal in the world, is located in White Sulphur Springs, West Virginia. The house was occupied by Mr. and Mrs. David T. Myles on June 1, 1961.
47. "Paw-paws," nicknamed the "West Virginia banana," originated in the State and took their name from Paw Paw, Morgan County.
48. The 15 hundred block of Virginia Street, Charleston, West Virginia, is considered the longest block in the world.
49. The first book published in West Virginia was The Christian Panoply in 1797 by Richard Watson.
50. The first novel was Young Kate published in 1845 by John Lewis.
51. The first State-owned vacation lodge, Cacapon Lodge, located in Cacapon State Park, near Berkeley Springs, West Virginia, was dedicated June 30, 1956.
52. The State Record Muskie, 43 pounds, was caught on March 15, 1955.
53. The First Wheeling Convention, held to form the new State of West Virginia, was May 13, 1861.
54. The Second Wheeling Convention, held June 11, 1861, formed the reorganized government of Virginia.
55. On December 11, 1806, Thomas Jefferson, then President of the United States, sent the militia to Blennerhassett Island, near Parkersburg, "to end the plans of Aaron Burr and Harman Blennerhassett to lead a group of settlers and to establish a colony on the Baron Bastrop lands in the Southwest."
56. On October 12, 1933, the first regular aviation service in West Virginia began in Charleston.
57. October 14, 1949, was the date the first television station, WSAZ-TV, in West Virginia went on the air in Huntington.
58. On May 20, 1863, Arthur I. Boreman became the first Governor of West Virginia.
59. President Abraham Lincoln signed the bill making West Virginia a State on December 31, 1862.
60. The only federal prison for women exclusively in the United States is at Alderson, West Virginia. The building of this institution was begun December 31, 1925.
61. "The West Virginia Hills," an official State Song of West Virginia was written by Mrs. Elta A. King and published on September 15, 1885.
62. The largest shipment of matches (20 carloads or 810,000,000) ever sent was shipped from Wheeling to Memphis, Tennessee, on August 26, 1933.



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WEST VIRGINIA FACT SHEET

JOHN M. PRATT
DEPUTY FOR PUBLIC AFFAIRS

CONSTITUTION (Preamble: Since through Divine Providence we enjoy the blessings of civil, political and religious liberty, we, the people of West Virginia, in and through the provisions of this Constitution, reaffirm our faith in and constant reliance upon God and seek diligently to promote, preserve perpetuate good government in the State of West Virginia for the common welfare, freedom and security of ourselves and our posterity. Note: This preamble was proposed by House Joint Resolution No. 8, Acts 1959, P. 659; submitted by Acts 1960, c. 4; and ratified November 8, 1960.)

West Virginia adopted its first constitution in 1863, when it became the 35th state in the Union. The state is now governed by its second constitution, adopted in 1872. The constitution has been amended more than 35 times. Constitutional amendments may be proposed in either house of the state legislature. They must be approved by a two-thirds majority of both houses, and then by a majority of the voters. The constitution may also be revised by a constitutional convention. Before a constitutional convention can be called, it must be approved by a majority of the legislators and the voters.

EXECUTIVE The governor of West Virginia is elected to a four-year term and may serve any number of terms, but not more than two terms in succession. The governor receives a yearly salary of \$50,000.

In case of the death, conviction or impeachment, failure to qualify, resignation, or other disability of the governor, the president of the Senate shall act as governor until the vacancy is filled, or the disability removed; and if the president of the Senate, for any of the above named causes, shall become incapable of performing the duties of governor, the same shall devolve upon the speaker of the House of Delegates; and in all other cases where there is no one to act as governor, one shall be chosen by joint vote of the Legislature. Whenever a vacancy shall occur in the office of governor before the first three years of the term shall have expired, a new election for governor shall take place to fill the vacancy.

The heads of many state administrative departments are appointed by the governor.

Other top state officials include the Secretary of State, Auditor, Treasurer, Attorney General, and the Commissioner of Agriculture. They are elected to a four-year term and can succeed themselves as many times as they are elected.

STATE FLAG Before the design of the present state flag was officially adopted by the legislature on March 7, 1929, by Senate Joint Resolution No. 18, West Virginia had been represented by several flags which had proven impractical.

Prominently displayed on the pure white field of today's flag and emblazoned in proper colors is the Coat of Arms, the lower half of which is wreathed by the state flower, Rhododendron. Across the top, lettered on a ribbon, is the constitutional designation--"State of West Virginia." The white field is bordered on four sides by a strip of blue, and for parade purposes all but the staff side are to be trimmed with gold fringe.

STATE SONGS "The West Virginia Hills," "This is My West Virginia" and "West Virginia, My Home Sweet Home" were each designated as the official state songs of West Virginia, each ranking equally with the others in official status, by House Concurrent Resolution No. 19, adopted by the legislature on February 28, 1963.

OFFICIAL COLORS Old gold and blue were designated as the official state colors by Senate Concurrent Resolution No. 20, adopted by the legislature on March 8, 1963.

STATE DAY (WEST VIRGINIA DAY) On January 1, 1863, President Abraham Lincoln approved the Statehood Bill for West Virginia on the condition that it would gradually abolish slavery. West Virginia was proclaimed a state on April 20, 1863, with the bill becoming effective sixty days later on June 20, 1863, now called West Virginia Day.

STATE TREE The Sugar Maple or Acer Saccharum, as it is known scientifically, was made West Virginia's official tree by House Concurrent Resolution No. 12, adopted by the legislature on March 7, 1949, authorizing a vote by pupils of public schools and civic organizations. It produces an excellent wood for furniture as well as maple syrup. A single tree is 70 to 120 feet high and produces two to three pounds of sugar when "sugared off"; has a five-lobed leaf and produces a small wing-shaped pod.

STATE BIRD The Cardinal or Richmondena Cardinalis, as it is known scientifically, was made West Virginia's official bird by House Concurrent Resolution No. 12, adopted by the legislature on March 7, 1949, authorizing a vote by pupils of public schools and other civic organizations. The male of the species is a rich scarlet with a mask and shading of black, while the young birds and females are a less brilliant color. The adult bird measures approximately eight inches long. It can be found from New York to the Gulf of Mexico and as far west as Oklahoma.

STATE FLOWER The Rhododendron Maximum or "Big Laurel" was made the official state flower of West Virginia by House Joint Resolution No. 19, adopted by the legislature on January 29, 1903, following a recommendation by the Governor and a vote by pupils of public schools. It is a shrub of the heath family and may be recognized by its large evergreen leaves and delicate pale pink or white bloom, mottled with either red or yellow flecks.

Lighted only on special occasions, the chandelier is lowered by a hand crank every four years and each piece is removed and cleaned in preparation for the Governor's inauguration.

The outer reception room of the Governor's Office is the show room of the Capitol. It is of Colonial Georgian design and painted a special blue. The floor is covered with a blue carpet especially woven by Mohawk Mills and is the third largest seamless carpet in the United States. Two large crystal chandeliers and many crystal wall brackets light the room. A fireplace of black and gold Belgian marble is at the eastern end. The portraits of West Virginia's two immediate past Governors hang in the reception room.

The architectural and historical significance of the Capitol, Executive Mansion and grounds was recognized by the United States government in 1974 when the group was placed in the National Register of Historic Places.

At night, when the State Capitol is bathed in light, attention is irresistibly drawn to the front entrance where the imposing statue of "Lincoln Walks at Midnight" is cast in shadow, and West Virginians are reminded once again of the turbulent Birth of the 35th State.

During the eight years the Capitol was under construction, the total cost, including land, architects' fees and furnishings, amounted to slightly less than \$10 million. The Capitol was dedicated by Governor William G. Conley on the State's 69th birthday, June 20, 1932.

West Virginia is the only State in the union to have acquired its sovereignty by proclamation of the President of the United States. Statehood was proclaimed by President Abraham Lincoln in 1863, midway in the most bitter chapter of American history--The Civil War. Only seven years later West Virginia's seat of government began traveling intermittently between Wheeling, site of the inauguration of the State's first Governor, and Charleston, the final choice for the State Capital.

The 1877 Legislature decided that the citizens of West Virginia should choose their Capital site by popular election on August 7 of that year. They chose Charleston, and eight years later, on May 1, 1885, a \$390,000 Capitol building was opened in Charleston. The new building served as the State Capitol for 36 years until, on January 3, 1921, disaster struck and it was destroyed by fire. For the next six years West Virginia's state government was run from a "pasteboard Capitol," a temporary structure which had been thrown up hastily in the wake of the fire. The make-shift Capitol was to meet the same fate on March 2, 1927, but, happily, the 1921 Legislature had responded to the first fire by creating a Capitol Building Commission which authorized construction of the present Capitol on the north bank of the Kanawha River in East Charleston.

The Office of the Secretary of State was created by Art. VII, Section 1, Constitution.

The first Secretary of State was Jacob Edgar Boyers, Republican, Tyler County, elected in 1863.



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THE GOVERNORS OF THE STATE OF WEST VIRGINIA

JOHN M. PRATT
DEPUTY FOR PUBLIC AFFAIRS

<u>NAME</u>	<u>PARTY</u>	<u>COUNTY</u>	<u>TERM OF OFFICE</u>
ARTHUR INGRAHAM BOREMAN	R	WOOD	June 20, 1863—Feb. 26, 1869
DANIEL D. T. FARNSWORTH	R	UPSHUR	Feb. 27, 1869—Mar. 3, 1869
WILLIAM ERSKINE STEVENSON	R	WOOD	Mar. 4, 1869—Mar. 3, 1871
JOHN JEREMIAH JACOB	D	HAMPSHIRE	Mar. 4, 1871—Mar. 3, 1877
HENRY MASON MATHEWS	D	GREENBRIER	Mar. 4, 1877—Mar. 3, 1881
JACOB BEESON JACKSON	D	WOOD	Mar. 4, 1881—Mar. 3, 1885
EMANUEL WILLIS WILSON	D	KANAWHA	Mar. 4, 1885—Feb. 5, 1890
ARETAS BROOKS FLEMING	D	MARION	Feb. 6, 1890—Mar. 3, 1893
WILLIAM A. MacCORKLE	D	KANAWHA	Mar. 4, 1893—Mar. 3, 1897
GEORGE WESLEY ATKINSON	R	OHIO	Mar. 4, 1897—Mar. 3, 1901
ALBERT BLAKESLEE WHITE	R	WOOD	Mar. 4, 1901—Mar. 3, 1905
WILLIAM M. O. DAWSON	R	PRESTON	Mar. 4, 1905—Mar. 3, 1909
WILLIAM E. GLASSCOCK	R	MONONGALIA	Mar. 4, 1909—Mar. 3, 1913
HENRY DRURY HATFIELD	R	McDOWELL	Mar. 4, 1913—Mar. 2, 1917
JOHN JACOB CORNWELL	D	HAMPSHIRE	Mar. 3, 1917—Mar. 3, 1921
EPHRAIM FRANKLIN MORGAN	R	MARION	Mar. 4, 1921—Mar. 3, 1925
HOWARD MASON GORE	R	HARRISON	Mar. 4, 1925—Mar. 3, 1929
WILLIAM GUSTAVUS CONLEY	R	KANAWHA	Mar. 4, 1929—Mar. 3, 1933
HERMAN GUY KUMP	D	RANDOLPH	Mar. 4, 1933—Jan. 17, 1937
HOMER ADAMS HOLT	D	FAYETTE	Jan. 18, 1937—Jan. 12, 1941
MATTHEW MANSFIELD NEELY	D	MARION	Jan. 13, 1941—Jan. 14, 1945
CLARENCE W. MEADOWS	D	RALEIGH	Jan. 15, 1945—Jan. 16, 1949
OKEY L. PATTESON	D	FAYETTE	Jan. 17, 1949—Jan. 18, 1953
WILLIAM C. MARLAND	D	WYOMING	Jan. 19, 1953—Jan. 13, 1957
CECIL H. UNDERWOOD	R	TYLER	Jan. 14, 1957—Jan. 15, 1961
WILLIAM WALLACE BARRON	D	RANDOLPH	Jan. 16, 1961—Jan. 18, 1965
HULETT CARLSON SMITH	D	RALEIGH	Jan. 18, 1965—Jan. 12, 1969
ARCH ALFRED MOORE, JR.	R	MARSHALL	Jan. 13, 1969—Jan. 16, 1977
JOHN D. ROCKEFELLER, IV	D	KANAWHA	Jan. 17, 1977—

- 1 Unopposed in 1863 and 1864; Benjamin H. Smith opponent in 1866.
- 2 Governor Boreman resigned February 26, 1869, having been elected United States Senator. Succeeded by Daniel D. T. Farnsworth, President of the Senate, who served from February 27, 1869, to March 3, 1869.
- 3 Ran as an independent candidate in 1872; defeated Democratic nominee, Johnson M. Camden, Wood County. No Republican ticket in the field.
- 4 Pending the settlement of the Fleming-Goff gubernatorial contest, Emanuel Willis Wilson continued to serve as governor. Governor Fleming assumed office February 6, 1890.
- 5 First Governor to succeed himself under Constitutional Amendment adopted 1970.

SOURCES OF REFERENCES: DEPARTMENT OF ARCHIVES AND HISTORY AND WEST VIRGINIA BLUE BOOK