

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

SENATE BILL No. 44

(By-Mr. Committee on the Judiciary)

PASSED February 27 1941

In Effect from Passage



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ENROLLED
Senate Bill No. 44

(Originating in the Committee on the Judiciary)

[Passed February 27, 1941; in effect from passage.]

AN ACT to amend and reenact sections one, one-h, one-j, one-k, and one-x, article two, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, relating to the division of the state into judicial circuits and fixing the time for holding the regular terms of court for the eighth, tenth, eleventh, and twenty-fourth judicial circuits; and repealing chapter forty-one, acts of the Legislature, regular session, one thousand nine hundred thirty-five, and chapter forty-two, acts of the Legislature, regular session, one thousand nine hundred thirty-five, as amended by chapter fifteen, acts of the Legislature, regular session, one thousand nine hundred thirty-seven.

Be it enacted by the Legislature of West Virginia:

That chapter forty-one, acts of the Legislature of West Virginia, regular session, one thousand nine hundred thirty-five, and chapter forty-two, acts of the Legislature, regular session, one thousand nine hundred thirty-five, as amended by chapter fifteen, acts of the Legislature, regular session, one thousand nine hundred thirty-seven, be repealed, and that sections one, one-h, one-j, one-k, and one-x, article two, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 1. *Judicial Circuits; Judges; Terms of Court.*

2 The state shall be divided into judicial circuits as fol-
3 lows: The counties of Brooke, Hancock and Ohio shall
4 constitute the first circuit; the counties of Marshall, Tyler
5 and Wetzell shall constitute the second circuit; the coun-
6 ties of Doddridge, Pleasants and Ritchie shall constitute
7 the third circuit; the counties of Wood and Wirt shall con-
8 stitute the fourth circuit; the counties of Calhoun, Jack-
9 son, Mason and Roane shall constitute the fifth circuit;
10 the counties of Cabell, Lincoln and Putnam shall consti-
11 tute the sixth circuit; the county of Logan shall consti-

12 tute the seventh circuit; the county of McDowell shall con-
13 stitute the eighth circuit; the counties of Mercer and Wy-
14 oming shall constitute the ninth circuit; the counties of
15 Boone and Raleigh shall constitute the tenth circuit; the
16 counties of Greenbrier, Monroe, Pocahontas and Summers
17 shall constitute the eleventh circuit; the counties of Fay-
18 ette and Nicholas shall constitute the twelfth circuit; the
19 county of Kanawha shall constitute the thirteenth circuit;
20 the counties of Braxton, Clay, Gilmer and Webster shall
21 constitute the fourteenth circuit; the counties of Harrison
22 and Lewis shall constitute the fifteenth circuit; the county
23 of Marion shall constitute the sixteenth circuit; the county
24 of Monongalia shall constitute the seventeenth circuit;
25 the county of Preston shall constitute the eighteenth cir-
26 cuit; the counties of Barbour and Taylor shall constitute
27 the nineteenth circuit; the counties of Randolph and Up-
28 shur shall constitute the twentieth circuit; the counties
29 of Grant, Mineral and Tucker shall constitute the twenty-
30 first circuit; the counties of Hampshire, Hardy and Pendle-
31 ton shall constitute the twenty-second circuit; the counties
32 of Berkeley, Jefferson and Morgan shall constitute the

33 twenty-third circuit; and the counties of Mingo and
34 Wayne shall constitute the twenty-fourth circuit.

35 There shall be elected on the Tuesday next after the
36 first Monday in November, nineteen hundred thirty-
37 six, and every eighth year thereafter, one judge in each
38 of the circuits herein constituted, except for the first
39 circuit shall be two judges elected.

40 The terms of the several circuit courts of the counties
41 aforesaid shall commence and be held each year as herein-
42 after provided.

Sec. 1-h. *Eighth Circuit.* For the county of McDowell,
2 on the second Monday in March, the second Monday in
3 June, the second Monday in September and the first Mon-
4 day in December.

Sec. 1-j. *Tenth Circuit.* For the county of Boone, on
2 the fourth Monday in January, the second Monday in
3 April, the second Monday in July, and the second Monday
4 in October.

5 For the county of Raleigh, on the third Monday in
6 February, on the third Monday in May, on the fourth

7 Monday in August and on the second Monday in Novem-
8 ber.

Sec. 1-k. *Eleventh Circuit.* For the county of Poca-
2 hontas, on the second Tuesday in March, and the first
3 Tuesday in June and October.

4 For the county of Greenbrier, on the third Tuesday in
5 April, and the fourth Tuesday in July and November.

6 For the county of Monroe, on the first Tuesday in
7 April, and the second Tuesday in July and November.

8 For the county of Summers, on the second Tuesday in
9 January, and the second Tuesday in May and September.

Sec. 1-x. *Twenty-fourth Circuit.* For the county of
2 Mingo, on the first Monday in January, May and October.

3 For the county of Wayne, on the second Monday in
4 March and July, and the fourth Monday in November.

Sec. 2. Chapter forty-one, acts of the Legislature,
2 regular session, one thousand nine hundred thirty-five,
3 and chapter forty-two, acts of the Legislature, regular
4 session, one thousand nine hundred thirty-five, as amended
5 by chapter fifteen, acts of the Legislature, regular session,

6 one thousand nine hundred thirty-seven, and all other acts
7 and parts of acts in conflict herewith, are hereby ex-
8 pressly repealed.

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

G. H. McBurn
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the Senate

Takes effect from passage

A. Isaac Williams
Clerk of the Senate

Billiff
Clerk of the House of Delegates

Byron B. Randolph
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within approved this the 8th
day of March, 1941.

Matthew M. Neely
Governor.



Filed in the office of the Secretary of State
of West Virginia. MAR 10 1941
Wm. S. O'BRIEN,
Secretary of State