

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1949



ENROLLED

HOUSE BILL No. 200

(By Mr. Campbell of Cabell)



PASSED March 2 1949

In Effect Ninety days from Passage



ENROLLED

House Bill No. 200

(By MR. CAMPBELL, of Cabell, and MR. LEAP)

[Passed March 2, 1949; in effect ninety days from passage.]

AN ACT to amend and reenact sections one, two and four, chapter one hundred sixty-eight, acts of the Legislature, regular session, one thousand nine hundred twenty-one, as amended, by chapter one hundred fifty-four, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, relating to the creation and establishment in the county court of Cabell county, of a court to be known as the "Domestic Relations Court," the jurisdiction of said court, and the salary of the judge thereof.

Be it enacted by the Legislature of West Virginia:

That sections one, two and four, chapter one hundred sixty-eight, acts of the Legislature, regular session, one thousand nine hundred twenty-one, as amended by chapter one hundred fifty-four, acts of the Legislature, regular session, one thousand nine

hundred thirty-nine, be amended and reenacted to read as follows:

Section 1. *Cabell County Domestic Relations Court*

2 *Created.*—There is hereby created and established in and
3 for the county of Cabell, with authority and jurisdiction
4 co-extensive with the county, a court to be known as the
5 “Domestic Relations Court” of Cabell county, for the trial
6 of annulment of marriages, separate maintenance suits,
7 divorces, alimony causes, the care and disposition of de-
8 linquent, defective, neglected and dependent children,
9 and desertion and non-support of wives and children,
10 adoption, and for the enforcement of the general school
11 laws, arising within the said county or coming within
12 the jurisdiction of the court as provided by the general
13 laws of this state and as hereinafter provided; and inde-
14 pendent of the foregoing for the trial of certain chancery
15 causes, as hereinafter limited and defined, it being the
16 intent and purpose of this act to create a court of limit-
17 ed jurisdiction for the purposes herein set forth.

Sec. 2. *Jurisdiction.*—The said domestic relations court

2 shall have jurisdiction within the said county of Cabell,

3 concurrent with the circuit court, of all matters and causes
4 arising out of or pertaining to annulment of marriages,
5 separate maintenance suits, divorce, alimony, the custody
6 and maintenance of children of litigants and the adjudi-
7 cation of property rights arising out of the same, and all
8 other matters and causes coming within the purview of
9 chapter forty-eight of the code of West Virginia, one
10 thousand nine hundred thirty-one, and of all amend-
11 ments and reenactments thereof concerning domestic re-
12 lations; of all matters and causes coming within the pur-
13 view of chapter forty-nine of the code of West Virginia,
14 one thousand nine hundred thirty-one, as enacted by
15 chapter one, acts of the Legislature of West Virginia, one
16 thousand nine hundred thirty-six, and of all amendments
17 and reenactments thereof commonly known as the child
18 welfare law; of all matters and causes coming within the
19 purview of chapter eighteen of the code of West Vir-
20 ginia, one thousand nine hundred thirty-one, and all
21 amendments and reenactments thereof, commonly called
22 the general school law; of all matters and causes com-
23 ing within the purview of chapter forty-eight of the

24 code of the West Virginia, one thousand nine hundred
25 thirty-one, and of all amendments and reenactments
26 thereof, commonly known as the adoption law; and of
27 all matters and causes coming within the purview of all
28 other or future acts of the Legislature touching the sub-
29 ject matter and of any and all said laws, laws and acts of
30 the amendments and reenactments thereof, and of the
31 common law of said state relating to the subject matter
32 thereof. Independently of any of the foregoing matters,
33 the said domestic relations court shall also have and is
34 hereby given general equity jurisdiction concurrent with
35 the circuit court, excepting in cases involving the
36 enforcement of criminal laws and labor disputes, and ex-
37 cepting cases where it shall appear from the pleadings
38 that matter or thing in controversy exceeds in value the
39 sum of one hundred thousand dollars. The proceedings
40 and modes of procedure and power and jurisdiction con-
41 ferred by law upon the circuit court or the common pleas
42 court in any and all of said matters and causes are here-
43 by conferred upon and shall be exercised by said domes-
44 tic relations court.

Sec. 4. *Salary of Judge.*—The judge of the domestic
2 relations court of Cabell county shall receive for his serv-
3 ices seven thousand two hundred dollars, annually, pay-
4 able monthly in installments beginning on the first day
5 of July, one thousand nine hundred forty-nine, which
6 amount shall be provided for and paid by the county
7 court, out of the treasury of said county, which provi-
8 sion as to salary shall not repeal the existing provision
9 until the said first day of July, one thousand nine hun-
10 dred forty-nine.

11 All acts or parts of acts inconsistent or in conflict with
12 this act are hereby repealed.

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

Herbert Traubert
Chairman Senate Committee

W. B. Matthews
Chairman House Committee

Originated in the House of Delegates

Takes effect *Ninety days from* passage.

Thomas Meyer
Clerk of the Senate

J. A. Schiff
Clerk of the House of Delegates

Franklin D. Roosevelt
President of the Senate

W. E. Humphrey
Speaker House of Delegates

The within *approved* this the *9th*
day of *MARCH*, 1949.

Chas. R. Pallas
Governor



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

MAR 10 1949
D. PITT O'BRIEN,
SECRETARY OF STATE