

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1949



ENROLLED

HOUSE BILL No. 201

(By Mr. Campbell of Cabell)
 and
 Mr. Leap



PASSED February 22 1949

In Effect Ninety days from Passage



201

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House Bill No. 201

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

[Passed February 22, 1949; in effect ninety days from passage]

AN ACT to amend and reenact sections one and two chapter twenty-eight, acts of the Legislature, regular session, one thousand eight hundred ninety-three, as amended by section one, chapter ninety, acts of the Legislature, regular session, one thousand nine hundred seventeen; and to amend and reenact section twenty-four, chapter ninety, acts of the Legislature, regular session, one thousand nine hundred seventeen, as amended by section twenty-four, chapter one hundred sixty-seven, acts of the Legislature, regular session, one thousand nine hundred twenty-one, and as amended by section twenty-four, chapter one hundred one, acts of the Legislature, regular session, one thousand nine hundred thirty-one, as amended by section twenty-four, chapter one hundred forty-two, acts of the Legislature, regular session, one thousand nine hundred thirty-

five, creating and defining the purposes and jurisdiction of the common pleas court of Cabell county and fixing the salary of the judge thereof.

Be it enacted by the Legislature of West Virginia:

That sections one and two, chapter twenty-eight, acts of the Legislature, regular session, one thousand eight hundred ninety-three, as amended by section one, chapter ninety, acts of the Legislature, regular session, one thousand nine hundred seventeen, and section twenty-four, chapter ninety, acts of the Legislature, regular session, one thousand nine hundred seventeen, as amended by section twenty-four, chapter one hundred sixty-seven, acts of the Legislature, regular session, one thousand nine hundred twenty-one, and as amended by section twenty-four, chapter one hundred one, acts of the Legislature, regular session, one thousand nine hundred thirty-one, and as amended by section twenty-four, chapter one hundred forty-two, acts of the Legislature, regular session, one thousand nine hundred thirty-five, be amended and reenacted to read as follows:

Section 1. *Common Pleas Court of Cabell County Established.*—The common pleas court of Cabell county, as
2
3 created and established by chapter ninety, acts of the

4 Legislature, regular session, one thousand nine hundred
5 seventeen, by amending chapter twenty-eight, acts of
6 the Legislature, regular session, one thousand eight hun-
7 dred ninety-three, is hereby established and created for
8 the intent and purpose of being a court of limited juris-
9 diction with common and concurrent jurisdiction with
10 the circuit court of Cabell county, within said county, in
11 criminal, civil and equitable actions and causes.

Sec. 2. *Jurisdiction; Supervision, Etc., of Criminal and*
2 *Civil Cases Before Justices, Etc.*—That said court shall
3 have jurisdiction within said county, common and con-
4 current with the circuit court, of all felonies and misde-
5 meanors committed within said county, and shall have the
6 supervision and control of criminal and civil proceedings
7 before justices of said county, the police judge or mayor
8 of any incorporated city, town or village therein, by ap-
9 peal, mandamus, prohibition and certiorari; the said court
10 shall have original jurisdiction within said county con-
11 current with the circuit court of Cabell county of all suits
12 and proceedings in equity, except where it shall appear
13 from the pleadings that the matter in controversy exceeds

14 the value of five hundred thousand dollars and actions of
15 ejectment, and of all other civil actions or proceedings at
16 law, except where it shall appear from the pleadings that
17 the matter in controversy exceeds the value of one thou-
18 sand dollars; and also appellate jurisdiction in all cases,
19 civil and criminal, from judgments of justices of the peace
20 in said county, police judge or mayor of any incorporated
21 city, town or village, or of any inferior tribunal therein,
22 wherein an appeal, writ of error, supersedeas or writ of
23 certiorari may be allowed; subject to the right to proceed
24 by appeal, writ of error, supersedeas or certiorari in all
25 matters to the circuit court of Cabell county, as provided
26 in section fifteen, chapter twenty-eight, acts of the Legis-
27 lature, regular session, one thousand eight hundred nine-
28 ty-three, and section twenty-six, chapter ninety, acts of
29 the Legislature, regular session, one thousand nine hun-
30 dred seventeen.

Sec. 24. *Salary of Judge.*—The judge of the common
2 pleas court of Cabell county shall receive for his services
3 seven thousand two hundred dollars annually, payable
4 monthly in installments beginning on the first day of

5 July, one thousand nine hundred forty-nine, which amount
6 shall be provided for and paid by the county court, out
7 of the treasury of said county, which provision as to salary
8 shall not repeal the existing provision until the said first
9 day of July, one thousand nine hundred forty-nine.

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

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

Forest L. Mencer
Chairman Senate Committee

Don Anderson
Chairman House Committee

Originated in the House of Delegates

Takes effect thirty days from passage.

Howard Myers
Clerk of the Senate

J. R. Rupp
Clerk of the House of Delegates

W. H. H. H. H.
President of the Senate

W. E. Shuman
Speaker House of Delegates

The within approved this the 26th
day of FEBRUARY, 1949.

Okey L. Callahan
Governor.



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

FEB 28 1949
D. MIT O'BRIEN,

SECRETARY OF STATE