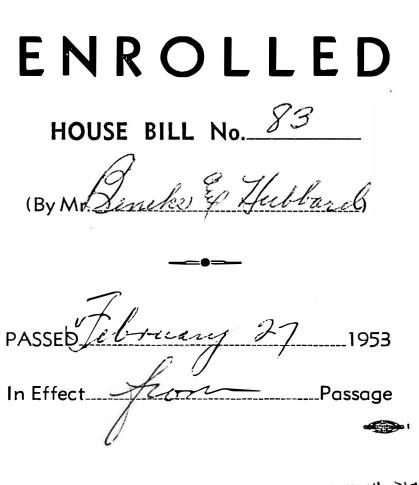
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



OF WESS VERSIONS OF THE OF STATE



ENROLLED House Bill No. 83

(By Mr. BENEKE and Mr. HUBBARD)

[Passed February 27, 1953; in effect from passage.]

AN ACT to amend and reenact section twenty-four, article two, chapter forty-eight of the code of West Virginia; one thousand nine hundred thirty-one, as amended, relating to divorce commissioner, by adding a provision pertaining to the Ohio county.

. Be it enacted by the Legislature of West Virginia:

That section twenty-four, article two, chapter forty-eight of the code of West Virginia, one thousand nine-hundred thirtyone, as amended, be amended and reenacted to read as follows: Section 24. Divorce Commissioner; Duties; Fees.—The

2: circuit court of each county, or the judge thereof in vaca-

3 tion, may in his discretion, appoint a competent attorney
4 in each county as a commissioner in chancery, to investi5 gate divorce cases, who shall be designated as "Divorce
6 Commissioner". He shall be a man of good moral charac-

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7 ter, of standing in his profession, and a resident of the 8 county for which he is appointed, and shall, before assum-9 ing the duties of such commissioner, take the oath required of other commissioners in chancery; such commis-10 11 sioner shall discharge his duties and hold his office at the pleasure of the court, and may be removed at any time 12 13 by the court. It shall be the duty of the divorce commis-14 sioner to investigate all divorce suits; to appear at all 15 trials and examine witnesses when necessary, and defend the interests of the state; to bring before the court, at the 16 trial, all witnesses necessary to develop the true facts, and 17 generally take all steps to prevent fraud and collusion in 18 19 divorce cases. For which services he shall be allowed the 20 sum of not less than five dollars nor more than fifteen 21 dollars, to be fixed by the court, which amount shall be taxed as a part of the costs of the case. In Ohio county, 22 23 however, each judge of the circuit court may respectively appoint a divorce commissioner who shall be so designated 24 and shall meet the qualifications herein set forth. The 25 clerk of the circuit court of Ohio county, West Virginia, 26 shall make reference of divorces and other matters as 27

28 may be proper from time to time to said commissioners29 in rotation, so as to effect an equitable distribution of30 work between and among them.

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Enr. H. B. No. 83]

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

Chairman Senate Committee Chairman House Committee Originated in the House of Delegates Takes effect. ____ __passage. C 00 P -2 Clerk of the Senate RUL Clerk of the House of Delegates President of the Senate Speaker House of Delegates

this the s-the day of ______, 1953.

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