

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953

ENROLLED

SENATE BILL NO. 239

(By Mr. Martin)

PASSED March 12 1953

In Effect from Passage



102
239

ENROLLED
Senate Bill No. 239

(By MR. MARTIN)

[Passed March 12, 1953; in effect from passage.]

AN ACT to amend and reenact section fifteen, article two, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to alimony, custody and maintenance of children.

Be it enacted by the Legislature of West Virginia:

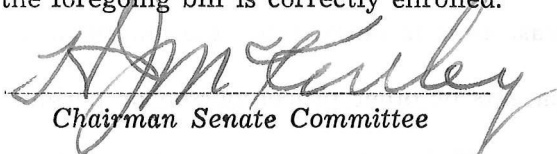
That section fifteen, article two, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 15. *Alimony; Custody and Maintenance of*
2 *Children.*—Upon decreeing a divorce, the court may make
3 such further decree as it shall deem expedient, concerning
4 the maintenance of the parties, or either of them; and

5 upon decreeing the annulment of a marriage, or a divorce,
6 the court may make such further decree as it shall deem
7 expedient, concerning the care, custody, education and
8 maintenance of the minor children, and may determine
9 with which of the parents or other proper person or per-
10 sons the children or any of them, may remain; and the
11 court, or the judge thereof in vacation, may, from time
12 to time afterward, on the petition of either of the parties,
13 revise or alter such decree concerning the maintenance
14 of the parties, or either of them, and make a new decree
15 concerning the same, as the altered circumstances or
16 needs of the parties may render necessary to meet the
17 ends of justice; and the court, or the judge thereof in
18 vacation, may also from time to time afterward, on the
19 petition of either of the parties, revise or alter such
20 decree concerning the care, custody, education and main-
21 tenance of the children, and make a new decree con-
22 cerning the same, as the circumstances of the parents
23 or other proper person or persons and the benefit of the
24 children may require. In any case where the divorce or
25 the annulment is denied, if the parties are living separate

26 and apart from each other, the court shall retain juris-
27 diction of the case for the purpose of determining with
28 which of the parents or other proper person or persons
29 the children or any of them may remain and of making
30 such order or decree concerning the care, custody, edu-
31 cation and maintenance of the minor children, or any of
32 them, as to the court, or judge thereof, in vacation, may
33 seem proper and the benefit of the child or children may
34 require; and such order or decree may, from time to time
35 afterward, on petition of either of the parties, be revised
36 or altered, and a new order or decree made, as the cir-
37 cumstances of the parties or the needs of the children
38 may require. For the purpose of making effectual any
39 order or decree provided for in this section the court,
40 or judge thereof in vacation, may make any order or
41 decree concerning the estate of the parties, or either of
42 them, as it shall deem expedient.

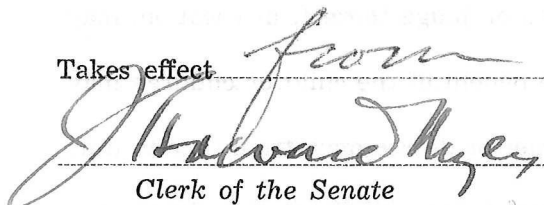
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

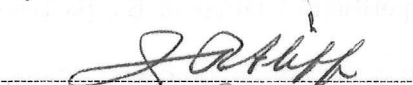

Chairman Senate Committee

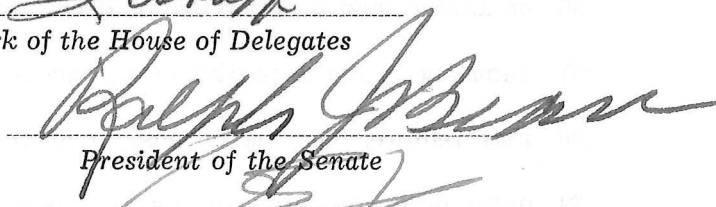

Chairman House Committee

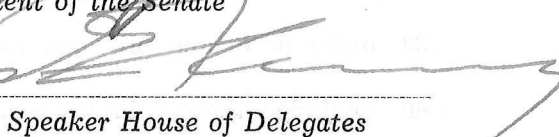
Originated in the Senate.

Takes effect from passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 16th
day of March, 1953.


Governor.



FILED IN THE OFFICE OF THE SECRETARY OF STATE
OF VIRGINIA
MAR 16 1953
D. PITT O'BRIEN,
SECRETARY OF STATE