

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

—●—

ENROLLED

HOUSE BILL No. 540

(By Mr. Baker and Mr. Reindexter)

—●—

PASSED March 5, 1963

In Effect ninety days from Passage



Filed in Office of the Secretary of State
of West Virginia 3-16-63

JOE F. BURDETT
SECRETARY OF STATE

#540

ENROLLED

House Bill No. 540

(By MR. BAKER and MR. POINDEXTER)

[Passed March 8, 1963; 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 as amended by sections one, two, and twenty-four, chapter one hundred thirty-nine, acts of the Legislature, regular session, one thousand nine hundred forty-nine, as amended by section twenty-four, chapter one hundred seventy-nine, acts of the Legislature, regular session, one thousand nine hundred fifty-nine, 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, as amended by sections one, two, and twenty-four, chapter one hundred thirty-nine, acts of the Legislature, regular session, one thousand nine hundred forty-nine, as amended by section twenty-four, chapter one hundred seventy-nine, acts of the Legislature, regular session, one thousand nine hundred fifty-nine, be amended and reenacted to read as follows:

Section 1. Common Pleas Court of Cabell County

2 Established.—The common pleas court of Cabell county,
3 as 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 the
6 Legislature, regular session, one thousand eight hundred
7 ninety-three, is hereby established and created for the in-
8 tent and purpose of being a court of limited jurisdiction
9 with common and concurrent jurisdiction with the circuit

10 court of Cabell county, within said county, in criminal
11 and civil 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
6 the supervision and control of criminal and civil proceed-
7 ings before justices of said county, the police judge or
8 mayor of any incorporated city, town or village therein,
9 by appeal, mandamus, prohibition and certiorari; the said
10 court shall have original jurisdiction within said county
11 concurrent with the circuit court of Cabell county of all
12 suits and proceedings, and of all civil actions or proceed-
13 ings at law, except where it shall appear from the plead-
14 ings that the matter in controversy exceeds the value of
15 twenty-five thousand dollars; and also appellate juris-
16 diction in all cases, civil and criminal, from judgments of
17 justices of the peace in said county, police judge or
18 mayor of any incorporated city, town or village, or of any
19 inferior tribunal therein, wherein an appeal, writ of error,

20 supersedeas or writ of certiorari may be allowed; subject
21 to the right to proceed by appeal, writ of error, super-
22 sedeas or certiorari in all matters to the circuit court of
23 Cabell county, as provided in section fifteen, chapter
24 twenty-eight, acts of the Legislature, regular session, one
25 thousand eight hundred ninety-three, and section twenty-
26 six, chapter ninety, acts of the Legislature, regular session,
27 one thousand nine hundred seventeen.

Sec. 24. Salary of Judge.—The judge of the common
2 pleas court of Cabell County shall receive for his services
3 thirteen thousand five hundred dollars annually, payable
4 monthly in installments beginning on the first day of July,
5 one thousand nine hundred sixty-three, which amount
6 shall be provided for and paid by the county court, out of
7 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 sixty-three. All
10 acts or parts of acts inconsistent or in conflict with this
11 act are hereby repealed.

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

Ray Parker

Chairman Senate Committee

Philip L. Cardwell

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Meyer

Clerk of the Senate

C A Blankenship

Clerk of the House of Delegates

Howard W. Mason

President of the Senate

Julius W. Sigler Jr.

Speaker House of Delegates

The within approved this the 16th
day of March, 1963.

W. W. Barron

Governor

