

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



ENROLLED

HOUSE BILL No. 701

(By Mr. Smith and Mrs. Paul)



PASSED February 22, 1965

In Effect June Passage



FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 2-27-65

#701

ENROLLED

House Bill No. 701

(By MR. SMITH and MRS. PAUL)

[Passed February 22, 1965; in effect from passage.]

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

thousand eight hundred ninety-three, as last amended and reenacted by chapter seventy-eight, acts of the Legislature, regular session, one thousand nine hundred five, defining the jurisdiction of the court of common pleas of Cabell county and fixing the salary of the judge thereof.

Be it enacted by the Legislature of West Virginia:

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and reenacted by chapter seventy-eight, acts of the Legislature, regular session, one thousand nine hundred five, be repealed; that section two, chapter twenty-eight, acts of the Legislature, regular session, one thousand eight hundred ninety-three, as last amended and reenacted by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

Section 2. Jurisdiction; Supervision, Etc., of Criminal

2 and Civil Cases Before Justices, Etc.—That said court
3 shall have jurisdiction within said county, common and
4 concurrent with the circuit court, of all felonies and mis-
5 demeanors committed within said county, and shall have
6 the supervision and control of criminal and civil pro-
7 ceedings before justices of said county, the police judge
8 or mayor of any incorporated city, town or village there-
9 in, by appeal, mandamus, prohibition and certiorari; the
10 said court shall have original jurisdiction within said
11 county concurrent with the circuit court of Cabell county
12 of all suits and proceedings, and of all civil actions or
13 proceedings at law, except where it shall appear from the
14 pleadings that the matter in controversy exceeds the
15 value of fifty 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 mayor
18 of any incorporated city, town or village, or of any infer-
19 ior tribunal therein, wherein an appeal, writ of error,
20 supersedeas or writ of certiorari may be allowed; sub-
21 ject 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 ses-
27 sion, 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 fifteen thousand five hundred dollars annually, payable
4 monthly in installments beginning on the first day of July,
5 one thousand nine hundred sixty-five, which amount shall
6 be provided for and paid by the county court, out of the
7 treasury of said county, which provision as to salary shall
8 not repeal the existing provision until the said first day of
9 July, one thousand nine hundred sixty-five.

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.

O. Roy Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the House.

Takes effect from passage.

Thomas Myers
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Harvard Blanton
President of the Senate

H. Raban White
Speaker House of Delegates

The within approved this the 27
day of February, 1965.

Archie C. Smith
Governor



Presented to Governor's Office

Feb. 24, 1965

1:14 p.m.