

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967



ENROLLED

HOUSE BILL No. 970

(By Mrs. Paul and Mr. Casey)



PASSED March 8, 1967

In Effect Thirty days from Passage



FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE

THIS DATE 3-16-67

970
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ENROLLED

House Bill No. 970

(By MRS. PAUL and MR. CASEY)

[Passed March 8, 1967; in effect ninety days from passage.]

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

ninety-three, as last amended 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:

§2. Jurisdiction.

1 That common pleas court of Cabell county shall have
2 jurisdiction within said county, common and concurrent
3 with the circuit court, of all felonies and misdemeanors
4 committed within said county, and shall have the super-
5 vision and control of criminal and civil proceedings be-
6 fore justices of said county, the police judge or mayor
7 or any incorporated city, town or village therein, by
8 appeal, mandamus, prohibition and certiorari; the said
9 court shall have original jurisdiction within said county
10 concurrent with the circuit court of Cabell county of all
11 suits and proceedings, and of all civil actions and proceed-
12 ings at law, except where it shall appear from the pleadings
13 that the matter in controversy exceeds the value of one
14 hundred thousand dollars; appellate jurisdiction in all
15 cases, civil and criminal, from judgments of justices of the
16 peace in said county, police judge or mayor of any incor-

17 porated city, town or village, or of any inferior tribunal
18 therein, wherein an appeal, writ of error, supersedeas or
19 writ of certiorari may be allowed. The foregoing jurisdic-
20 tion shall extend to and include, but not be restricted to all
21 matters and causes contained in chapter forty-eight of the
22 code of West Virginia commonly known as the adoption
23 law; all matters and causes contained in chapter forty-
24 eight of the code of West Virginia commonly known as
25 the change of name law; all matters and causes con-
26 tained in chapter forty-eight of the code of West
27 Virginia commonly known as the maintenance of ille-
28 gitimate children law; all matters and causes con-
29 tained in chapter forty-four of the code of West Vir-
30 ginia commonly known as the approval and compro-
31 mise of infants' claims for damages; all matters and
32 causes contained in chapter forty-eight of the code of
33 West Virginia commonly known as the issuance of mar-
34 riage licenses in cases of emergencies or extraordinary
35 circumstances; all matters and causes contained in chapter
36 thirty-seven of the code of West Virginia commonly
37 known as the approval of the sale, lease or mortgage of

38 infants' lands. The proceedings, modes of procedure,
39 powers and jurisdiction of this court in all of the fore-
40 going matters shall be common and concurrent with the
41 powers and jurisdiction of the circuit court, subject to the
42 right to proceed by appeal, writ of error, supersedeas or
43 certiorari in all matters to the circuit court of Cabell
44 county, as provided in section fifteen, chapter twenty-
45 eight, acts of the Legislature, regular session, one thou-
46 sand eight hundred ninety-three, and section twenty-six,
47 chapter ninety, acts of the Legislature, regular session,
48 one thousand nine hundred seventeen. This act shall be-
49 come effective on the first day of July, one thousand nine
50 hundred and sixty-seven.

§24. Salary of judge.

1 The judge of the common pleas court of Cabell county
2 shall receive for his services seventeen thousand five
3 hundred dollars annually, payable monthly in install-
4 ments beginning on the first day of January, one thousand
5 nine hundred sixty-nine, which amount shall be pro-
6 vided for and paid by the county court, out of the treasury
7 of said county, which provision as to salary shall not

8 repeal the existing provision until the said first day of
9 January, one thousand nine hundred and sixty-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.

William Tompkins
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Thomas M. Kelly
Clerk of the Senate

C. J. Blankenship
Clerk of the House of Delegates

Howard E. Carson
President of the Senate

H. Laker White
Speaker House of Delegates

The within *approved* this the *15*
day of *March*, 1967.

Frederic C. Smith
Governor

PRESENTED TO THE
GOVERNOR

Date 3/13/67

Time 4:32 p.m.