

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1968

ENROLLED

SENATE BILL NO. 132

(By Mr. Miller.....)

PASSED February 7,..... 1968

In Effect from..... Passage



FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-16-68

132

ENROLLED
Senate Bill No. 132

(By MR. MILLER)

[Passed February 7, 1968; in effect from passage.]

AN ACT to amend article six, chapter fifty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirty-six-a, relating to the settling, signing and certifying of bills of exceptions and certificates in lieu thereof when the trial judge is physically or mentally incapable of discharging the duties of his office or when a vacancy exists in such office.

Be it enacted by the Legislature of West Virginia:

That article six, chapter fifty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be

amended by adding thereto a new section, designated section thirty-six-a, to read as follows:

ARTICLE 6. TRIAL.

§56-6-36a. Settling, signing and certifying of a bill of exceptions or certificate in lieu thereof by judge other than judge before whom case was tried.

*at JHue
(-key FE)*

1 In the event of the death or ^{resignation} ~~registration~~ of, or the
 2 expiration of the term of office or a vacancy in the office
 3 for any other cause of, the judge before whom a case was
 4 tried, or in the event the trial judge becomes physically or
 5 mentally incapable of discharging the duties of his office,
 6 a bill of exceptions as provided for by section thirty-five
 7 of this article or a certificate in lieu of a bill of exceptions
 8 as provided for by section thirty-six of this article may
 9 be settled, signed and certified by the successor in the
 10 office of such judge or by any other judge authorized
 11 in such case to perform the duties of the judge of such
 12 court, and any bill of exceptions or certificate in lieu of a
 13 bill of exceptions signed and certified as aforesaid shall
 14 have the same effect as if signed and certified by the judge
 15 before whom such ^{case} was tried.

*at JHue
(-key FE)*

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

William Tompa
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard Thayer
Clerk of the Senate

Ch. Blackenath
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

A. Leland White
Speaker House of Delegates

The within approved this the 14
day of February, 1968.

Green C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date 2/12/68

Time 3:02 P.M.

RECEIVED

FEB 16 1 00 PM '68

OFFICE OF
THE GOVERNOR
STATE OF WEST VIRGINIA