

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1969



ENROLLED

HOUSE BILL No. 862

(By Mr. Robit and Mrs. Amiel)



PASSED March 3, 1969

In Effect from Passage



FILED IN THE OFFICE
JOHN D. DOUGHERTY, IV
SECRETARY OF STATE

THIS DATE 3-14-69

862

ENROLLED

House Bill No. 862

(By MR. BOBBITT and MRS. SMIRL)

[Passed March 3, 1969; in effect from passage.]

AN ACT to amend and reenact section two, chapter one hundred sixty-eight, acts of the Legislature, regular session, one thousand nine hundred twenty-one, as last amended and reenacted by chapter two hundred nine, acts of the Legislature, regular session, one thousand nine hundred sixty-seven, relating to the domestic relations court of Cabell county.

Be it enacted by the Legislature of West Virginia:

That section two, chapter one hundred sixty-eight, acts of the Legislature, regular session, one thousand nine hundred twenty-one, as last amended and reenacted by chapter two hundred nine, acts of the Legislature, regular session, one

thousand nine hundred sixty-seven, be amended and reenacted to read as follows.

DOMESTIC RELATIONS COURT OF CABELL COUNTY.

§2. Jurisdiction.

1 The said domestic relations court shall have jurisdiction
2 within the said county of Cabell, concurrent with the
3 circuit court, of all matters and causes arising out of or
4 pertaining to annulment of marriages, separate mainten-
5 ance suits, divorce, alimony, the custody and maintenance
6 of children of litigants and the adjudication of property
7 rights arising out of the same, and all other matters and
8 causes coming within the purview of chapter forty-eight
9 of the code of West Virginia, one thousand nine hundred
10 thirty-one, and all amendments and reenactments thereof
11 concerning domestic relations, habeas corpus proceed-
12 ings involving the award and custody of children under
13 the age of twenty-one years; of all matters and causes
14 coming within the purview of chapter forty-nine of the
15 code of West Virginia, one thousand nine hundred thirty-
16 one, as enacted by chapter one, acts of the Legislature
17 of West Virginia, one thousand nine hundred thirty-

18 six, and of all amendments and reenactments thereof,
19 commonly known as the child welfare law; of all mat-
20 ters and causes coming within the purview of chapter
21 eighteen of the code of West Virginia, one thousand nine
22 hundred thirty-one, and all amendments and reenact-
23 ments thereof, commonly called the general school law;
24 of all matters and causes coming within the purview of
25 chapter forty-eight of the code of West Virginia, one
26 thousand nine hundred thirty-one, and of all amendments
27 and reenactments thereof, commonly known as the re-
28 ciprocal dependency law; of all matters and causes com-
29 ing within the purview of chapter forty-eight of the code
30 of West Virginia, one thousand nine hundred thirty-one,
31 and all amendments and reenactments thereof, commonly
32 known as the adoption law; and of all matters and causes
33 coming within the purview of chapter forty-eight of the
34 code of West Virginia, one thousand nine hundred thirty-
35 one, and of all amendments and reenactments thereof,
36 commonly known as the change of name law; and of all
37 matters and causes coming within the purview of chap-
38 ter forty-eight of the code of West Virginia, one thou-

39 sand nine hundred thirty-one, and of all amendments and
40 reenactments thereof, commonly known as the mainten-
41 ance of illegitimate children law; and of all matters and
42 causes coming within the purview of chapter forty-four,
43 article ten, section fourteen of the code of West Virginia,
44 one thousand nine hundred thirty-one, and of all amend-
45 ments and reenactments thereof, commonly known as
46 the approval of the compromising of infants' claims for
47 damages; and of all matters and causes coming within
48 the purview of chapter forty-eight, article one, section
49 six-c of the code of West Virginia, one thousand nine
50 hundred thirty-one, and of all amendments and reenact-
51 ments thereof, commonly known as the issuance of mar-
52 riage license in case of emergency or extraordinary cir-
53 cumstances, and of all matters and causes coming within
54 the purview of chapter thirty-seven of the code of West
55 Virginia, one thousand nine hundred thirty-one, and of
56 all amendments and reenactments thereof, commonly
57 known as the approval of the sale, lease or mortgage of
58 infants' lands, and of all matters and causes coming
59 within the purview of all other or future acts of the

60 Legislature touching the subject matter of any and all
61 said laws and acts, and the amendments and reenact-
62 ments thereof, and of the common law of said state relat-
63 ing to the subject matter thereof. Independently of any
64 of the foregoing matters, the said domestic relations
65 court shall also have and is hereby given what was here-
66 tofore recognized as general equity jurisdiction concur-
67 rent with the circuit court, excepting in cases involving
68 the enforcement of criminal laws and labor disputes, and
69 excepting cases where it shall appear from the pleadings
70 that matter or thing in controversy exceeds in value the
71 sum of three hundred fifty thousand dollars. The pro-
72 ceedings and modes of procedure and power and juris-
73 diction conferred by law upon the circuit court or the
74 common pleas court in any and all of said matters and
75 causes are hereby conferred upon and shall be exercised
76 by said domestic relations court.

77 The court is authorized and empowered to appoint and
78 discharge one chief probation officer at a yearly salary
79 of eight thousand seven hundred fifty dollars and a pro-
80 bation officer at a yearly salary of eight thousand five

81 hundred dollars, which said salaries shall be paid by the
82 county court monthly, and in addition thereto the said
83 county court shall reimburse the said probation officers
84 of their necessary expenses actually incurred monthly
85 in the performance of official duties including an allow-
86 ance of ten cents per mile for their automobile driven
87 in the performance of official duties. The court is fur-
88 ther authorized and empowered to appoint and discharge
89 such medical, clerical and secretarial assistance as shall
90 enable it to discharge all of the duties required of it
91 under the provisions of this act and the general laws of
92 the state and such person or persons shall be paid by the
93 county court monthly upon the written approval of the
94 judge of the said court.

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

William T. Thompson
Chairman Senate Committee

Phyllis J. Rutledge
The Chairman House Committee

Originated in the House.

Takes effect from passage

Howard Thayer
Clerk of the Senate

U. Blankenship
Clerk of the House of Delegates

Lytle P. Brown
President of the Senate

Sam F. Boush
Speaker House of Delegates

The within is approved this the 12th
day of March, 1969.

Arch. A. Shaare Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/1/69

Time 2:30 p.m.

RECEIVED

MAR 14 9 23 AM '69

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA