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STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**  
REGULAR SESSION, 1970

—●—

**ENROLLED**

HOUSE BILL No. 656

(By Mr. Speaker Mr. Beirnsky and  
Mr. Potter)

—●—

PASSED February 12, 1970

In Effect July 1, 1970 Passage



FILED IN THE OFFICE  
JOHN D. ROCKEFELLER, IV  
SECRETARY OF STATE  
THIS DATE 2-18-70

656

**ENROLLED**

**House Bill No. 656**

(By MR. SPEAKER, MR. BOIARSKY, and MR. POTTER)

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[Passed February 12, 1970; in effect July 1, 1970.]

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AN ACT to amend and reenact section three, chapter thirty-two, acts of the Legislature, regular session, one thousand nine hundred sixty-four; and to amend and reenact section ten, chapter thirty-two, acts of the Legislature, regular session, one thousand nine hundred sixty-four, as last amended and reenacted by chapter two hundred fourteen, acts of the Legislature, regular session, one thousand nine hundred sixty-seven, relating to the jurisdiction of the court of common pleas of Kanawha county and to the duties and salary of the judges thereof.

*Be it enacted by the Legislature of West Virginia:*

That section three, chapter thirty-two, acts of the Legis-

lature, regular session, one thousand nine hundred sixty-four, and that section ten, chapter one hundred thirty-two, acts of the Legislature, regular session, one thousand nine hundred sixty-four, as last amended and reenacted by chapter two hundred fourteen, acts of the Legislature, regular session, one thousand nine hundred sixty-seven, be amended and reenacted to read as follows:

**COURT OF COMMON PLEAS OF KANAWHA COUNTY.**

**§3. Jurisdiction of court: right of appeal to the circuit court of Kanawha county.**

1   The said court shall continue to have original juris-  
2   diction within the county of Kanawha concurrent with  
3   the circuit court of said county in all suits and proceedings  
4   in equity, in all actions of ejectment, and in all civil  
5   actions or proceedings at law, except where it shall  
6   appear from the pleadings that the matter or thing in  
7   controversy in any such civil action or proceeding at  
8   law exceeds in value the sum of five hundred thousand  
9   dollars; and also of appeals from the judgments of justices  
10  of the peace in said county in civil cases when such  
11  appeals shall be to said court in the same manner and

12 under the same regulations as provided in the general  
13 law for appeals from justices and shall also continue to  
14 have jurisdiction concurrent with the circuit court of  
15 said county as to the supervision and control of all pro-  
16 ceedings before justices of the peace or municipal courts  
17 of said county in civil cases, by mandamus, prohibition,  
18 habaes corpus or certiorari, subject to the right of appeal  
19 to the circuit court of Kanawha county, as hereinafter  
20 provided.

21 The court shall also have original jurisdiction within  
22 the county of Kanawha, concurrent with the circuit court  
23 of said county and concurrent with any other court of  
24 record of limited jurisdiction within said county having  
25 jurisdiction of same, of petitions or proceedings for the  
26 adoption of adults and children. Each judge of said  
27 court shall each year forward to the judicial council  
28 provided for in article eleven, chapter fifty-six of the code  
29 of West Virginia, one thousand nine hundred thirty-one,  
30 as amended, and without request therefor by such council,  
31 his proposals for any legislative or rule changes which

32 he believes will make the administration of justice  
33 more efficient.

**§10. Salary of judges; payment from county treasury.**

1 After the first day of July, one thousand nine hundred  
2 seventy, each of said judges shall for their services re-  
3 ceive twenty thousand dollars per annum, to be paid  
4 in monthly installments out of the county treasury of  
5 Kanawha county, out of funds of said treasury, in the  
6 manner provided by statute. The salary of the judge of  
7 said court whose present term began on January one,  
8 one thousand nine hundred sixty-five, shall continue as  
9 provided in chapter thirty-two, acts of the Legislature,  
10 regular session, one thousand nine hundred sixty-four,  
11 and the salary of the judge of said court whose term  
12 began on January one, one thousand nine hundred sixty-  
13 nine, shall continue as provided in chapter two hundred  
14 fourteen, acts of the Legislature, regular session, one  
15 thousand nine hundred sixty-seven, until the first day  
16 of July, one thousand nine hundred seventy.

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

William T. Thompson  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the House.

Takes effect July 1, 1970.

Thomas Meyer  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Clayton G. Jackson  
President of the Senate

Sam F. Brinkley  
Speaker House of Delegates

The within approved this the 16th  
day of February, 1970.

Arch A. Shreve Jr.  
Governor

PRESENTED TO THE  
GOVERNOR

Date 2/16/70

Time 2:40 p.m.