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SECRETARY OF STATE  
STATE OF WEST VIRGINIA

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1970

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## ENROLLED

HOUSE BILL No. 752

(By Mr. Remine and Mr. Fuller)

—●—

PASSED February 12, 1970

In Effect July 1, 1970 Passage



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

THIS DATE 2-18-70

752

**ENROLLED**

**House Bill No. 752**

(By MR. ROMINE and MR. FULLER)

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

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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 one hundred fifty-four, acts of the Legislature, regular session, one thousand nine hundred sixty-nine; and to amend and reenact section four of said chapter one hundred sixty-eight, as last amended and reenacted by chapter two hundred nine, acts of the Legislature, regular session, one thousand nine hundred sixty-seven, all relating to the jurisdiction and judge's salary of 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 one hundred fifty-four, acts of the Legislature, regular session, one thousand nine hundred sixty-nine; and that section four of said chapter one hundred sixty-eight, 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, all to read as follows:

**DOMESTIC RELATIONS COURT OF CABELL COUNTY.**

**§2. Jurisdiction.**

1     The said domestic relations court shall have jurisdic-  
2     tion within the said county of Cabell, concurrent with  
3     the circuit court, of all matters and causes arising out of  
4     or pertaining to annulment of marriages, separate mainte-  
5     nance suits, divorce, alimony, the custody and mainte-  
6     nance of children of litigants and the adjudication of  
7     property rights arising out of the same, and all other  
8     matters and causes coming within the purview of chap-  
9     ter forty-eight of the code of West Virginia, one thou-

10 sand nine hundred thirty-one, and all amendments and  
11 reenactments thereof concerning domestic relations,  
12 habeas corpus proceedings; of all matters and causes  
13 coming within the purview of chapter forty-nine of the  
14 code of West Virginia, one thousand nine hundred thirty-  
15 one, as enacted by chapter one, acts of the Legislature  
16 of West Virginia, one thousand nine hundred thirty-six,  
17 and of all amendments and reenactments thereof, com-  
18 monly known as the child welfare law; of all matters  
19 and causes coming within the purview of chapter eigh-  
20 teen of the code of West Virginia, one thousand nine  
21 hundred thirty-one, and all amendments and reenact-  
22 ments thereof, commonly called the general school law;  
23 of all matters and causes coming within the purview  
24 of chapter forty-eight of the code of West Virginia, one  
25 thousand nine hundred thirty-one, and of all amend-  
26 ments and reenactments thereof, commonly known as  
27 the reciprocal dependency law; of all matters and causes  
28 coming within the purview of chapter forty-eight of  
29 the code of West Virginia, one thousand nine hundred  
30 thirty-one, and all amendments and reenactments thereof,

31 commonly known as the adoption law; and of all mat-  
32 ters and causes coming within the purview of chapter  
33 forty-eight of the code of West Virginia, one thousand  
34 nine hundred thirty-one, and of all amendments and  
35 reenactments thereof, commonly known as the change  
36 of name law; and of all matters and causes coming within  
37 the purview of chapter forty-eight of the code of West  
38 Virginia, one thousand nine hundred thirty-one, and of  
39 all amendments and reenactments thereof, commonly  
40 known as the maintenance of illegitimate children law;  
41 and of all matters and causes coming within the purview  
42 of chapter forty-four, article ten, section fourteen of  
43 the code of West Virginia, one thousand nine hundred  
44 thirty-one, and of all amendments and reenactments  
45 thereof, commonly known as the approval of the com-  
46 promising of infants' claims for damages; and of all  
47 matters and causes coming within the purview of chap-  
48 ter forty-eight, article one, section six-c of the code of  
49 West Virginia, one thousand nine hundred thirty-one,  
50 and of all amendments and reenactments thereof, com-  
51 monly known as the issuance of marriage license in case

52 of emergency or extraordinary circumstances; and of  
53 all matters and causes coming within the purview of  
54 chapter thirty-seven of the code of West Virginia, one  
55 thousand nine hundred thirty-one, and of all amend-  
56 ments and reenactments thereof, commonly known as  
57 the approval of the sale, lease or mortgage of infants'  
58 lands; and of all matters and causes coming within the  
59 purview of chapter sixty-one, article seven, section two,  
60 commonly known as license to carry weapons; how  
61 obtained; and shall have, concurrent with the circuit  
62 court of Cabell county, supervision and control of pro-  
63 ceedings before justices and other inferior tribunals  
64 by mandamus, prohibition and certiorari, and of all  
65 matters and causes coming within the purview of all  
66 other or future acts of the Legislature touching the  
67 subject matter of any and all said laws and acts, and  
68 the amendments and reenactments thereof, and of the  
69 common law of said state relating to the subject matter  
70 thereof. Independently of any of the foregoing matters,  
71 the said domestic relations court shall also have and is  
72 hereby given what was heretofore recognized as general

73 equity jurisdiction concurrent with the circuit court,  
74 excepting in cases involving the enforcement of crim-  
75 inal laws and labor disputes, and excepting cases where  
76 it shall appear from the pleadings that matter or thing  
77 in controversy exceeds in value the sum of three hundred  
78 fifty thousand dollars. The proceedings and modes of  
79 procedure and power and jurisdiction conferred by law  
80 upon the circuit court or the common pleas court in  
81 any and all of said matters and causes are hereby con-  
82 ferred upon and shall be exercised by said domestic re-  
83 lations court.

84 The court is authorized and empowered to appoint  
85 and discharge one chief probation officer at a yearly  
86 salary of eight thousand seven hundred fifty dollars  
87 and a probation officer at a yearly salary of eight thou-  
88 sand five hundred dollars, which said salaries shall be  
89 paid by the county court monthly, and in addition  
90 thereto the said county court shall reimburse the said  
91 probation officers of their necessary expenses actually  
92 incurred monthly in the performance of official duties  
93 including an allowance of ten cents per mile for their

94 automobile driven in the performance of official duties.  
95 The court is further authorized and empowered to appoint  
96 and discharge such medical, clerical and secretarial  
97 assistance as shall enable it to discharge all of the duties  
98 required of it under the provisions of this act and the  
99 general laws of the state and such person or persons shall  
100 be paid by the county court monthly upon the written  
101 approval of the judge of the said court.

**§4. Salary of judge.**

1 The judge of the domestic relations court of Cabell  
2 county shall receive for his services twenty thousand  
3 dollars, annually, payable monthly in installments be-  
4 ginning on the first day of July, one thousand nine  
5 hundred seventy, which amount shall be provided for  
6 and paid by the county court, out of the treasury of said  
7 county, which provision as to salary shall not repeal  
8 the existing provision until the said first day of July,  
9 one thousand nine hundred seventy.

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 July 1, 1970.

Thomas M. Hayes  
Clerk of the Senate

W. A. Blankenship  
Clerk of the House of Delegates

Leah G. Jackson  
President of the Senate

Sam F. Brumby  
Speaker House of Delegates

The within approved this the 17th  
day of February, 1970.

Arch. Shane Jr.  
Governor

PRESENTED TO THE  
GOVERNOR

Date 2/16/70

Time 2:40 p.m.