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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1971

ENROLLED

SENATE BILL NO. 174

(By Mr. BARNETT)

PASSED FEBRUARY 15, 1971

In Effect JULY 1, 1971 Passage



174

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

THIS DATE 2-22-71

ENROLLED

Senate Bill No. 174

(By MR. BARNETT)

[Passed February 15, 1971; in effect July 1, 1971.]

AN ACT to amend and reenact section two, chapter thirty-eight, acts of the Legislature, regular session, one thousand nine hundred sixty-four, as last amended and reenacted by chapter two hundred twenty, acts of the Legislature, regular session, one thousand nine hundred sixty-seven; and to amend and reenact section four of said chapter thirty-eight, as last amended and reenacted by chapter sixty-four, acts of the Legislature, regular session, one thousand nine hundred sixty-eight, all relating to the jurisdiction and judge's salary of the intermediate court of Mercer county.

Be it enacted by the Legislature of West Virginia:

That section two, chapter thirty-eight, acts of the Legislature, regular session, one thousand nine hundred sixty-four, as last amended and reenacted by chapter two hundred twenty, acts of the Legislature, regular session, one thousand nine hundred sixty-seven, be amended and reenacted; and that section four of said chapter thirty-eight, as last amended and reenacted by chapter sixty-four, acts of the Legislature, regular session, one thousand nine hundred sixty-eight, be amended and reenacted, all to read as follows:

INTERMEDIATE COURT OF MERCER COUNTY.

§2. Jurisdiction concurrent with circuit court.

1 The said court, which is the same court originally
2 established by chapter eighteen, acts of the Legislature,
3 regular session, one thousand eight hundred ninety-
4 three, but with its name and jurisdiction changed as
5 in this act provided, shall continue to have jurisdiction
6 within the county of Mercer, concurrent with the circuit
7 court of said county, of all felonies, misdemeanors and
8 offenses committed or which may be committed within
9 the said county of Mercer, and shall also have, concur-

10 rent with the circuit court of said county, jurisdiction,
11 supervision and control by appeal, mandamus, prohibi-
12 tion and certiorari of all proceedings before justices of
13 the peace of said county or the police court, mayor or
14 other constituted tribunal, board or commission of any
15 city, town or village in said county. The said court shall
16 likewise have jurisdiction within said county of Mercer,
17 concurrent with the circuit court of said county, of all
18 suits and proceedings in equity, in all actions of eject-
19 ment, and in all civil actions or proceedings at law,
20 except where it shall appear from the pleadings that
21 the matter or thing in controversy in any such suit, pro-
22 ceeding or action, exclusive of interest and costs, exceeds
23 in value the sum of seventy-five thousand dollars, and
24 all summary proceedings at law and any other manner
25 of action or proceeding at law authorized by the general
26 laws of West Virginia, as well as of appeals from judg-
27 ments of the justices of said county when such appeals
28 shall lie to the said court in the same manner and under
29 the same regulations as provided in the general laws for
30 appeals from justices. The said court shall likewise have

31 jurisdiction within said county of Mercer, concurrent
32 with the circuit court of said county, of suits for divorce,
33 annulment of marriage and separate maintenance, of
34 bastardy proceedings and actions for maintenance of
35 illegitimate children as provided by the general laws
36 of West Virginia, and the said court shall continue to
37 have jurisdiction within said county of proceedings for
38 adoption and all juvenile and other matters of which
39 the aforesaid criminal court of Mercer county was given
40 jurisdiction by the general laws of West Virginia or of
41 which the court hereby established may be given juris-
42 diction by such general laws.

§4. Salary of judge.

1 The judge of said intermediate court shall receive for
2 his services the sum of twenty thousand dollars per
3 annum to be paid out of the county treasury of said
4 county of Mercer.

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

Russell H. Bruce
Chairman Senate Committee

Phyllis Reutledge
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1971.

J. Howard Myers
Clerk of the Senate

V. A. Blankenship
Clerk of the House of Delegates

Edmond
President of the Senate

Ivor F. Bousby
Speaker House of Delegates

The within *approved* this the *19th*
day of *February*, 1971.

Wm. A. Shaw, Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 2/19/71

Time 11:35 a.m.

RECEIVED
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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA