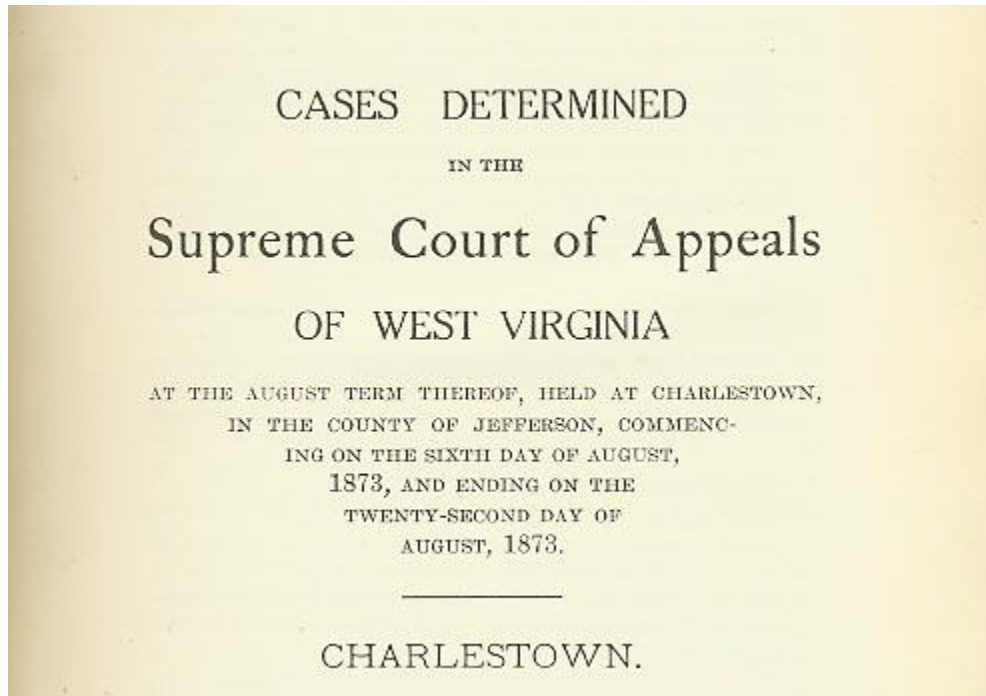


ON THIS DAY IN WEST VIRGINIA HISTORY AUGUST 6



On August 6, 1873, the Supreme Court of Appeals of West Virginia met for the first time in Charlestown, Jefferson County. The law mandating sessions in this Eastern Panhandle community remained in force until 1915.

CSO: SS.8.4

Investigate the Document: (*Acts of the Legislature of West Virginia, at its Eleventh Session, 1872-73*)

1. Chapter 15 of the 1872-1873 Acts of Legislature outlines the organization of what?
2. How is the Circuit Judge chosen?
3. How many regular terms does each circuit have each year?

Think Critically: What is the highest court in the state of West Virginia? How many justices serve on this court? How long are their terms?

from his office, and he shall receive for such service such fees as may be prescribed by law.

CHAPTER XV.

AN ACT to organize the circuit courts, establish the jurisdiction and prescribe the manner and mode proceeding of said courts.

Approved December 21, 1872.

Be it enacted by the Legislature of West Virginia :

Judicial circuits,
Arrangement of.

1. There shall be nine judicial circuits in the state and, until otherwise provided, shall be as follows :

First circuit.

The counties of Hancock, Brooke, Ohio and Mason shall constitute the first circuit ;

Second.

The counties of Wetzel, Marion, Monongalia, Taylor, Doddridge and Harrison the second ;

Third.

The counties of Jefferson, Berkeley and Morgan the third ;

Fourth.

The counties of Hampshire, Mineral, Grant, Hardy and Pendleton the fourth ;

Fifth.

The counties of Tyler, Pleasants, Ritchie, Boone, Wirt and Calhoun the fifth ;

Sixth.

The counties of Randolph, Tucker, Barbour, Lewis, Webster, Gilmer, Preston and Upshur the sixth ;

Seventh.

The counties of Jackson, Roane, Putnam, Kanawha and Mason the seventh ;

Eighth.

The counties of Greenbrier, Monroe, Fayette, Summers, Clay, Nicholas, Pocahontas and Braxton the eighth ; and

Ninth.

The counties of Cabell, Wayne, Lincoln, Boone, Logan, Wyoming, Mercer, Raleigh and McDowell the ninth.

Judge; how elected.

2. For each circuit a judge shall be elected by the voters thereof, who shall hold his office for the term of eight years, unless sooner removed in the manner prescribed by the constitution. During his continu-

Term of office.

CH. 15.]

CIRCUIT COURTS.

ance in office he shall reside within the circuit of Where to resi
which he is judge.

3. The circuit courts shall have the supervision of Jurisdiction
ers and duti
all proceedings before the county courts and other
inferior tribunals by mandamus, prohibition and cer-
tiorari. They shall, except in cases confided by the
constitution exclusively to some other tribunal, have Appellate jurisdic-
tion.
original and general jurisdiction of all matters at law
when the matter in controversy exclusive of interest
and costs exceeds fifty dollars; in cases of quo warranto,
habeas corpus, mandamus or prohibition; in all cases
of equity; of all felonies and misdemeanors. They
shall have appellate jurisdiction upon petition and
assignment of error in all cases of judgments, decrees
and final orders rendered by the county court and
such other inferior courts of record as may be here-
after established by law, under the provisions of the
twelfth section of article eight of the constitution,
where the matter in controversy, exclusive of costs,
is of greater value or amount than twenty dollars;

In controversies respecting the title or boundaries
of land;

The probate of wills, the appointment or qualifi-
cation of a personal representative, guardian, com-
mittee or curator;

Or concerning a mill, way, road, ferry or landing,
or the right of a corporation or a county to levy tolls
or taxes;

Also, in cases of habeas corpus, quo warranto,
mandamus, prohibition and certiorari;

In cases involving freedom or the constitutionality
of a law;

And in all cases of conviction under criminal pros-
ecutions in said court.

4. All actions, suits, motions and rules at law or All matters pend-
ing in circuit courts
in existence on De-
cember 31, to be, on
January 1, trans-
ferred to the circuit
courts then in exis-
tence, and be tried
by them except ap-
peals from justices
in equity, indictments, presentments and information
or other proceedings pending and undetermined in
the circuit courts now in existence, on the thirty-first

day of December, 1872, shall, on the first day of January, 1873, be transferred to the circuit courts then in existence, and to be by them heard, tried and finally disposed of, except that all pending appeals from justices may be transferred to the county court organized in such county. The records and papers of the first named circuit courts, and the records and papers of any court not now in existence, and which are in the custody of the clerk of said first-named courts, shall be delivered and transferred by the clerks of said first-named circuit courts, to the clerks of the circuit courts in existenee on the said first day of January, 1873.

Transfer of records and papers.

5. In every year there shall be two regular terms of each circuit court, and the days for the commencement of each of said terms shall be as follows, to-wit:

Regular terms; two each year.

In the First Circuit.

Commencement of Hancock.

For the county of Hancock, on the first Tuesday of March and the second Tuesday of September.

Brooke

For the county of Brooke, on the second Tuesday of March and the fourth Tuesday of September.

Ohio.

For the county of Ohio, on the second Tuesday of April and the second Tuesday of October.

Marshall.

For the county of Marshall, on the second Monday of March and the second Monday of October.

In the Second Circuit.

Taylor.

For the county of Taylor, on the first day of March and the first day of September.

Monongalia.

For the county of Monongalia, on the tenth day of March and the tenth day of September.

Wetzel.

For the county of Wetzel, on the first Tuesday of April and the first Tuesday of October.

Marion.

For the county of Marion, on the seventeenth day of April and the seventeenth day of October.

Doddridge.

For the county of Doddridge, on the tenth day of May and the tenth day of November.