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CASE COMMENTS

CONSTITUTIONAL LAW—SEPARATION OF POWERS—CONTROL BY JUDICIARY OF COMPENSATION OF COURT ATTACHES.—Original proceedings by the State, on the relation of the judge and chief probation officer of the Domestic Relations Court of Kanawha County, for a peremptory writ of mandamus requiring the county court to correct the domestic relations court's annual budget by providing specified sums as fixed by the judge, under the authority of W. Va. Acts 1947, c. 172, § 8, as amended, W. Va. Acts 1949, c. 148, W. Va. Acts 1953, c. 188, for salaries of probation officers and medical, clerical and secretarial assistants. *Held*, that the act insofar as it authorized the judge to fix the amounts of such officers' and assistants' salaries within minimum and maximum limits is unconstitutional as vesting a nonjudicial function in the judicial department of the government. *State ex rel. Richardson v. County Court of Kanawha County*, 78 S.E.2d 569 (W. Va. 1953).

The case conforms to a general trend to apply rigidly the separation of powers clause of the constitution, W. VA. CONST. Art. V. An examination briefly and in chronological order of the