

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

HOUSE BILL No. 260

(By Mr. Michie)

PASSED March 6, 1941

In Effect ninety days from Passage

260

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House Bill No. 260
(BY MR. MICHE)

[Passed March 6, 1941; in effect ninety days from passage.]

AN ACT to amend and reenact sections twenty-three and twenty-four, article one, chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, relating to the record of allowance to jurors; certification to auditor; failure of clerk to comply with provisions, and payment of compensation to jurors.

Be it enacted by the Legislature of West Virginia:

That sections twenty-three and twenty-four, article one, chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 23. *Record of Allowance to Jurors; Certification to Auditor; Failure of Clerk to Comply With Provisions.*—The clerk of any court upon which juries are in attendance shall, before the final adjournment of each

5 term, and under the direction of the court, make an entry
6 upon its minutes, stating separately the amount which
7 each juror is entitled to receive out of the state treasury,
8 or out of the county treasury, for his services or attendance
9 during the term; and such clerk of any court upon which
10 juries are in attendance, if directed by the court, shall
11 at any time during such term, and under the direction
12 of the court, make an entry upon its minutes, stating
13 separately the amount which each juror is entitled to
14 receive out of the state treasury, or out of the county
15 treasury, for his services or attendance during the term.
16 It shall be the duty of such clerk, as soon as practicable
17 after adjournment of the court, to transmit to the auditor
18 certified copies of all orders under this section making
19 allowances payable out of the state treasury. Any such
20 clerk who shall fail to pay over, as required by law, any
21 moneys so received by him, or otherwise to comply with
22 the provisions of this article, shall be deemed guilty of a
23 misdemeanor and fined not less than fifty dollars.

Sec. 24. *Payment of Compensation.*—It shall be the duty
2 of the clerk, as soon as practicable after the adjournment

3 of the court, or before the adjournment of the court at
4 such time as the court may direct, to deliver to each
5 juror a certified copy of any order under the preceding
6 section making an allowance to him, payable out of the
7 state treasury or out of the county treasury; and the
8 sheriff of such county shall, upon demand, pay to such
9 juror the amount allowed to him, which shall be repaid
10 to the sheriff out of the state treasury or out of the county
11 treasury, upon the production of satisfactory proof that
12 the same has actually been paid by him. If any sheriff
13 fail to pay any such allowance as required by law, he
14 may be proceeded against as for a contempt of court.

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

C. N. McKown
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Arthur Watkins
Clerk of the Senate

Jarvis
Clerk of the House of Delegates

Byron B. Raudolph
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within approved this the 14th
day of March, 1941.

Matthew M. Neely
Governor.

Filed in the office of the Secretary of State
of West Virginia. MAR 14 1941

Wm. S. O'BRIEN,
Secretary of State