

Rec., June 3

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# ENROLLED BILL

(EXTRAORDINARY SESSION, 1933)

House Bill No. 49

(By Mr. Hill)

Passed June 3, 1933

In Effect from Passage

Originated in the.....*House*.....Takes effect.....*from*.....Passage  
.....*Woodhall*.....Clerk.....*Woodhall*.....Clerk House of Delegates.

**CORRECTLY ENROLLED**

.....*James L. Smith*.....Chairman House Committee.  
.....*Anna D. Ho*.....Chairman Senate Committee.

### ENROLLED BILL

(H. B. No. 19)

[Passed June 3, 1933; in effect from passage.]

AN ACT to assist in balancing county budgets by amending and re-enacting section twenty-one, article one, chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, relating to compensation of petit jurors, the taxation of jury fees as costs and the disposition thereof.

*Be it enacted by the Legislature of West Virginia:*

That section twenty-one, 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 21. Any person summoned as aforesaid, by virtue of 2 a venire facias or otherwise, to serve as a petit juror, and ac- 3 tually attending upon the court, or attending at the courthouse, 4 at the time summoned, whether he be called to serve on a jury 5 or not, shall, for each day he so attends, be entitled to receive

CORRECTLY ENROLLED

*James A. Steyer*

*Chairman Senate Committee.*

*James L. Smith*

*Chairman House Committee.*

6 the sum of not less than two and not more than two and one-half  
7 dollars to be fixed by order entered of record and the same mile-  
8 age allowed to witnesses, to be paid out of the county treasury :  
9 *Provided*, That the per diem aforesaid shall be paid out of the  
10 state treasury for the day or days any person serves as a juror  
11 on a felony case; that for each day he shall not actually attend  
12 at the courthouse he shall receive nothing, and that he shall be  
13 allowed mileage but once during the term: *Provided further*,  
14 That when a jury in a case of felony shall be placed in the  
15 custody of the sheriff, he shall provide for and furnish such  
16 jury with regular meals at a reasonable cost not to exceed two  
17 dollars a day, while they are in his custody, and such meals  
18 shall be paid for out of the state treasury, as provided for above,  
19 for jury service in felony cases. There shall be taxed in the  
20 costs against any person against whom a judgment on the ver-  
21 dict of a jury may be rendered in a case of misdemeanor, and  
22 against any person against whom judgment on the verdict of a  
23 jury may be rendered in a civil action, and against any person  
24 on whose motion the verdict of a jury is set aside and a new  
25 trial granted, eight dollars for jury costs, which, when collected  
26 from the party, shall be paid into the county treasury. All

CORRECTLY ENROLLED

*James L. Smith*  
*James A. Hays*

*Chairman House Committee.*

*Chairman Senate Committee.*

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27 money so received by the clerk shall be forthwith paid by him  
28 to the sheriff, and the clerk and his surety shall be liable there-  
29 for on his official bond as for other money coming into his  
30 hands by virtue of his office.

31 The clerk of the circuit court of each county in this state  
32 shall annually certify to the county court a list of all money so  
33 paid to him, and by him paid to the sheriff, and, in addition  
34 thereto, a correct list of all the cases in which jury fees have  
35 been taxed, and are, at the time, properly due and payable in  
36 the county treasury, and the sheriff of the county shall be held  
37 to account in his annual settlement for all such moneys collected  
38 by him.

39 All acts and parts of acts inconsistent herewith are hereby  
40 repealed.

CORRECTLY ENROLLED

*John A. H. [Signature]*  
.....  
Chairman Senate Committee.

*[Signature]*  
.....  
Speaker of the House of Delegates.

*[Signature]*  
.....  
Clerk of the House of Delegates.

*[Signature]*  
.....  
President of the Senate.

*[Signature]*  
.....  
Clerk of the Senate.

*James L. Smith*  
.....  
Chairman House Committee.

The within is.....

this.....day of....., 1933.

.....  
Governor.

Filed in the office of the Secretary of State  
of West Virginia JUN 12 1933  
Wm. S. O'BRIEN,  
Secretary of State