

Rec., May 22

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ENROLLED BILL

(EXTRAORDINARY SESSION, 1933)

Senate Bill No. 49

(By Mr. Beneke)

Passed May 18, 1933

In Effect from Passage

Originating in the..... Takes effect..... Passage.

Senate
Shaw Brumby
Clerk.

From
W. S. S. S. S.
Clerk of the House of Delegates.

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James C. Smith
Chairman House Committee.

James C. Smith
Chairman Senate Committee.

ENROLLED BILL

(S. B. No. 49)

[Passed May 18, 1933; in effect from passage.]

AN ACT to amend and reenact section ten, article one, chapter fifty-nine of the code of West Virginia, one thousand nine hundred thirty-one, relating to fees to be charged by clerks of county courts.

Be it enacted by the Legislature of West Virginia:

That section ten, article one, chapter fifty-nine of the code of West Virginia, one thousand nine hundred thirty-one, relating to fees to be charged by clerks of county courts, be amended and reenacted to read as follows:

Section 10. The clerk of a county court shall charge and

2 collect the following fees:

3 When a writing is admitted to record, for receiving

4 proof of acknowledgment thereof, entering an order in

5 connection therewith, indorsing clerk's certificate of re-

6 cordation thereon, and indexing in a proper index, where

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Chairman House Committee.

Anna D. Hyatt
Chairman Senate Committee.

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7	the writing is a deed of conveyance, trust deed, lease or	
8	power of attorney concerning real estate.....	\$1.25
9	If such writing contains more than one thousand	
10	words, for every additional thirty words.....	.03
11	For recording a plat, whether separate from or ac-	
12	companying a deed or other writing.....	.50
13	If such plat contain more than six courses, for each	
14	additional course.....	.03
15	For recording, indexing and noting release of lien....	.50
16	For filing, or refiling, and entering conditional sale	
17	contract50
18	For recording a satisfaction of a conditional sale con-	
19	tract35
20	For recording and indexing certificate of incorpora-	
21	tion	1.25
22	If such certificate contains more than one thousand	
23	words, for each additional thirty words.....	.03
24	For filing and indexing a certificate showing the name	
25	or names of a person or persons conducting business	
26	under an assumed name.....	.25
27	For certifying to the assessor a transfer of real estate,	

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28 under section four, article four, chapter eleven of this
29 code50

30 For swearing the witnesses and entering in the order
31 or minute book all orders in relation to the proof of a
32 will which is admitted to record without contest, and
33 copying such order on the will or on a paper annexed
34 thereto, when fully proved, and but one order..... .75

35 If the will be but partially proved on one day, for the
36 order and entering the same on the will or paper an-
37 nexed thereto..... .50

38 For each subsequent order and entering the same on
39 the will or paper annexed thereto..... .50

40 For the same services where there is a contest..... 2.00

41 For recording a will and the matter recorded there-
42 with in the will book..... .50

43 If the will and matter recorded therewith contain
44 more than five hundred words, at the rate for every
45 thirty words, of..... .03

46 For entering orders and transmitting papers in case
47 of an appeal..... .75

48 If there be an order committing a decedent's estate to

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49 an officer, for entering and copying such order and the	
50 orders of appraisement.....	.50
51 If any personal representative or guardian qualify,	
52 for administering necessary oaths, making out bond,	
53 entering and copying on the will order granting pro-	
54 bate or administration, making out copy of such order	
55 for personal representative or guardian, entering and	
56 copying orders of appraisement.....	1.00
57 If several personal representatives qualify on the same	
58 estate at the same time or term, only the same fee shall	
59 be charged as if one had qualified, to-wit:.....	1.00
60 For entering and copying an order granting a license	
61 under the provisions of article twelve, chapter eleven	
62 of this code.....	.50
63 For certificate for a license, or alteration or assign-	
64 ment thereof.....	.50
65 On application for marriage license, for administer-	
66 ing and writing certificate of oath, issuing and regis-	
67 tering license and recording and giving receipt for	
68 certificate of marriage.....	2.00
69 One-half of the latter fee shall be paid by the county	

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Anna D. Hyatt
A. Hyatt

Chairman House Committee.

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70 clerk into the state treasury as a state registration fee,
71 in the same manner that license taxes are paid into the
72 treasury under article twelve, chapter eleven of this
73 code.

74 For search for anything in his office of over a year's
75 standing25

76 For recording certificate and posting a copy thereof
77 under the provisions of section two, article one, chap-
78 ter thirty-four of this code..... .50

79 For docketing, under article three, chapter thirty-
80 eight of this code, a judgment, decree, bond or recogniz-
81 ance35

82 For redocketing the same when required..... .35

83 For docketing an execution..... .35

84 For noting on the judgment docket the date of issu-
85 ing and the date of filing an execution..... .25

86 For making out a transcript of the record and pro-
87 ceedings in any case in due form, so that the same may
88 be used in an appellate court, for every thirty words.. .03

89 For making out, in any other manner than copying,
90 any paper to go out of the office, which is not otherwise

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91	provided for.....	.50
92	If such paper contain more than five hundred words,	
93	at the rate for every thirty words, of.....	.03
94	For any copy, if it be not otherwise provided for.....	.35
95	If such copy contain more than three hundred and	
96	fifty words, at the rate for every thirty words, of.....	.03
97	For annexing the seal of the court to any paper,	
98	writing certificate of the clerk accompanying it, and	
99	writing certificate of the president of the court or judge,	
100	if the clerk be required to do so.....	.50
101	For recording and filing an inventory or sale bill....	.50
102	If the inventory or sale bill contain more than five	
103	hundred words, at the rate, for every thirty words, of	.03
104	For entering an order confirming the report of a	
105	fiduciary50
106	For recording such report and matter recorded there-	
107	with50
108	If such report and matter recorded therewith con-	
109	tain more than five hundred words, at the rate for	
110	every thirty words, of.....	.03
111	For recording any bond required by law to be re-	

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112 corded, including the certificate or other evidence of its
113 execution50
114 For recording notice of mechanic's lien..... .50
115 If such notice contain more than five hundred words,
116 at the rate for every thirty words, of..... .03
117 For recording contract limiting liability of owner,
118 and bond of contractor to be filed therewith, as pre-
119 scribed in article two, chapter thirty-eight of this code 1.00
120 For recording and indexing a notice of lies pendens 1.00
121 For recording a certificate of real estate claimed as a
122 homestead50
123 For administering an oath, not before provided for,
124 and writing certificate thereof where the case requires
125 one15
126 For recording anew any will, deed or other paper, the
127 same fees as for the original recording.
128 For any service not specifically provided for, the same
129 fee as a clerk of the circuit court for similar services.

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James D. Hays
 Chairman Senate Committee.

R. M. Shivers

Speaker of the House of Delegates.

Mo L. Hae
 Clerk of the House of Delegates.

R. B. M. Airman
 President of the Senate.

Charles Smith
 Clerk of the Senate.

James D. Smith
 Chairman House Committee.

The within is.....

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

.....
 Governor.

Filed in the office of the Secretary of State
 of West Virginia. MAY 29 1933

Wm. S. O'BRIEN,
 Secretary of State