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ENROLLED BILL

(REGULAR SESSION, 1933)

House Bill No. 76

(By Mr. Lubliner By request)

Passed January 24, 1933

In Effect From Passage

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Originated in the *House*..... Takes effect..... *from*..... passage
Geo. S. Wallace..... Clerk of the House of Delegates.
Geo. S. Wallace..... Clerk.

CORRECTLY ENROLLED

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

James L. Smith.....
 Chairman Senate Committee.

ENROLLED BILL

(H. B. No. 76)

[Passed February 24, 1933; in effect from passage.]

AN ACT to amend and reenact section two, article seventeen, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, relating to the fees of constables in civil cases.

Be it enacted by the Legislature of West Virginia:

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

- Section 2. Every constable shall be entitled to charge and
- 2 receive the following fees in civil cases:
 - 3 For removing a person by virtue of a warrant issued un-
 - 4 der section fifteen, article one, chapter nine of this
 - 5 code, to be charged to the county court of the county
 - 6 for each mile of necessary travel, going and return-

CORRECTLY ENROLLED

James L. Smith
Chairman House Committee.
Henry D. Rogers
Chairman Senate Committee.

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7 ing ----- \$0.05
8 For service and return of summons to commence a suit
9 and for every additional summons ----- .75
10 For serving and returning order of attachment, for each
11 garnishee summoned ----- .50
12 For taking property under order of attachment, includ-
13 ing inventory and appraisal, besides the reasonable
14 expenses of removing, securing and keeping the prop-
15 erty attached ----- 1.00
16 For subpoenas, for each person served therewith ----- .25
17 For summoning and returning a jury ----- 1.50
18 For levying an execution or distress warrant on personal
19 property and return ----- 1.00
20 For posting notices of sale ----- .40
21 For money collected, after levy, under execution or at-
22 tachment and paid to the justice ----- 5%
23 For making sale of personal property under distress war-
24 rant, after levy, upon the proceeds of such sale ----- 5%
25 If the claim under distress warrant be satisfied prior to sale
26 the constable or other officer to whom the warrant to distrain
27 was issued or the officer levying such warrant shall be entitled

CORRECTLY ENROLLED

James L. Smith
James L. Smith
James L. Smith

Chairman House Committee.

Chairman Senate Committee.

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28 to receive and collect only such fees as are provided for in this
29 section for making levy and also for posting notice of sale, if
30 such notice was posted.

31 For serving and returning other writs and notices not
32 specified in this section, each75

33 For executing a writ of possession under section ten,
34 article one of this chapter 2.00

35 For summoning the jury and witnesses for inquest on a
36 dead body, to be audited and paid from the treasury
37 of the county 3.00

38 For services not otherwise provided for, the same fees as
39 for a sheriff for similar cases.

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James A. Smith
Chairman Senate Committee.

Wm. H. Hiner
Speaker of the House of Delegates.

Geo. L. Hall
Clerk of the House of Delegates.

H. M. ...
President of the Senate.

Robert ...
Clerk of the Senate.

James A. Smith
Chairman House Committee.

The within is *Approved*

this *28* day of *February*, 1933.

W. H. ...
Governor.

Filed in the office of the Secretary of State
of West Virginia **MAR 1 1933**

GEORGE W. SHARP,
Secretary of State.