WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1943

ENROLLED

HOUSE BILL No. 49

(By Mr. Ward)

PASSED March 1, 1943

In Effect July 1, 1943
ENROLLED

House Bill No. 49

(BY MR. WARD)

[Passed March 1, 1943; in effect July 1, 1943.]

AN ACT to amend and reenact section twenty-one, article one, chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, as last amended and reenacted by chapter forty-six, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, relating to compensation of petit jurors.

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, as last amended and reenacted by chapter forty-six, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, be amended and reenacted to read as follows:
Article I. Petit Juries.

Section 21. Compensation of Jurors; Taxation of Jury Fees as Costs; Disposition thereof.—Any person summoned as aforesaid, by virtue of a venire facies or otherwise, to serve as a petit juror, and actually attending upon the court, or attending at the courthouse, at the time summoned, whether he be called to serve on a jury or not, shall, for each day he so attends, be entitled to receive the sum of not less than two and not more than five dollars to be fixed by order entered of record and the same mileage allowed to witnesses, to be paid out of the county treasury: Provided, That the per diem aforesaid shall be paid out of the state treasury for the day or days any person serves as a juror on a felony case; that for each day he shall not actually attend at the courthouse he shall receive nothing, and that he shall be allowed mileage but once during the term: Provided further, That when a jury in a case of felony shall be placed in the custody of the sheriff, he shall provide for and furnish such jury with regular meals at a reasonable cost not to exceed two dollars a day, while they are in his
21 custody, and such meals shall be paid for out of the state
22 treasury, as provided for above, for jury service in
23 felony cases. There shall be taxed in the costs against
24 any person against whom a judgment on the verdict of
25 a jury may be rendered in a case of misdemeanor, and
26 against any person against whom judgment on the ver-
27 dict of a jury may be rendered in a civil action, and
28 against any person on whose motion the verdict of a
29 jury is set aside and a new trial granted, eight dollars
30 for jury costs, which, when collected from the party,
31 shall be paid into the county treasury. All money so re-
32 ceived by the clerk shall be forthwith paid by him to the
33 sheriff, and the clerk and his surety shall be liable therefor
34 on his official bond as for other money coming into his
35 hands by virtue of his office.
36 The clerk of the circuit court of each county in this
37 state shall annually certify to the county court a list of
38 all money so paid to him, and by him paid to the sheriff,
39 and, in addition thereto, a correct list of all the cases
40 in which jury fees have been taxed, and are, at the time,
41 properly due and payable in the county treasury, and the
42 sheriff of the county shall be held to account in his annual
43 settlement for all such moneys collected by him.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1943, passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approval this the 10th day of March, 1943.

Governor.

Filed in the office of the Secretary of State of West Virginia MAR 10 1943

Wm. S. O'Brien,
Secretary of State