WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED
SENATE BILL NO. 289
(By Mr. Euliss)

PASSED _______________ 1955
In Effect _______________ Passage

Filed in the Office of the Secretary of State of West Virginia
MAR 8 1955
D. PITT O'BRIEN
SECRETARY OF STATE
AN ACT to provide for the submission to the voters of the state an amendment to the constitution of the state, amending article three thereof, by adding thereto a new section, to be designated section twenty-one, relating to jury service for women.

Be it enacted by the Legislature of West Virginia:

Section 1. Submitting an Amendment to the State Constitution.—That the question of the ratification or rejection of an amendment to the constitution of West Virginia, proposed in accordance with the provisions of section two, article fourteen of said constitution, shall be submitted to the voters of the state at the next general election, to
be held in the year one thousand nine hundred fifty-six, which proposed amendment is as follows:

That article three of the constitution of West Virginia be amended by adding thereto a new section to be designated section twenty-one, to read as follows:

Sec. 21. Regardless of sex, all persons, who are otherwise qualified, shall be eligible to serve as petit jurors, in both civil and criminal cases, as grand jurors and as coroner's jurors.

Sec. 2. Amendment to be Known as the "Jury Service for Women Amendment".—For convenience in referring to said proposed amendment, and in the preparation of the form of the ballot hereinafter provided for, said proposed amendment is hereby designated as the "Jury Service for Women Amendment".

Sec. 3. Form of Ballot; Election.—For the purpose of enabling the voters of the state to vote on the question of said proposed amendment to the constitution at the said general election to be held in the year one thousand nine hundred fifty-six, the board of ballot commissioners of each county is hereby required to place upon, and at the
foot of, the official ballot to be voted at that election, the following:

Ballot on "Jury Service for Women Amendment".

☑ For Jury Service for Women Amendment.

☐ Against Jury Service for Women Amendment.

The said election on the proposed amendment at each place of voting shall be superintended, conducted and returned, and the result thereof ascertained by the same officers and in the same manner as the election of officers to be voted for at said election, and all the provisions of the law relating to general elections, including all duties to be performed by any officer or board, as far as practicable, and not inconsistent with anything herein contained, shall apply to the election held under the provisions of this act, except when it is herein otherwise provided. The ballots cast on the question of said proposed amendment shall be counted as other ballots cast at said election.

Sec. 4. Certificates of Election Commissioners; Canvass of Vote; Certifying Result.—As soon as the result is ascertained, the commissioners, or a majority of them, and
the canvassers (if there be any), or a majority of them,
at each place of voting, shall make out and sign two
certificates thereof in the following form or the following
effect:
"We, the undersigned, who acted as commissioners (or
canvassers, as the case may be) of the election held at
Precinct No. ......., in the district of ......................,
in the county of ......................, on the ....... day of
......................, one thousand nine hundred fifty-six,
upon the question of the ratification or rejection of the
proposed constitutional amendment, do hereby certify
that the result of said election is as follows:
"For ratification of Jury Service for Women Amend-
ment .............. votes.
"Against ratification of Jury Service for Women Amend-
ment .............. votes.
"Given under our hands this ......... day of .......... ...., one thousand nine hundred fifty-six."
The said two certificates shall correspond with each
other in all respects and contain the full and true returns
of said election at each place of voting on said question.
The said commissioners, or any one of them (or said canvassers or any one of them, as the case may be), shall, within four days, excluding Sunday, after that on which said election was held, deliver one of said certificates to the clerk of the county court of his county, together with the ballots, and the other to the clerk of the circuit court of the county.

The said certificates, together with the ballots cast on the question of said proposed amendment, shall be laid before the commissioners of the county court at the court house at the same time the ballots, poll books, and the certificates of election of the members of the Legislature are laid before them; and as soon as the result of said election in the county upon the question of such ratification or rejection is ascertained, two certificates of such result shall be made out and signed by said commissioners as a board of canvassers, in the form or to the following effect:

"We, the board of canvassers of the county of ............ ........., having carefully and impartially examined the returns of the election held in said county, in each
district thereof, on the ______ day of November, one thousand nine hundred fifty-six, do certify that the results of the election in said county, on the question of the ratification or rejection of the proposed amendment is as follows:

"For ratification of Jury Service for Women Amendment ______ votes.

"Against ratification of Jury Service for Women Amendment ______________ votes.

"Given under our hands this ______ day of ___________, one thousand nine hundred fifty-six."

One of the certificates shall be filed in the office of the clerk of the county court, and the other forwarded by mail to the secretary of state, who shall file and preserve the same until the day on which the result of said election in the state is to be ascertained, as hereinafter stated.

Sec. 5. Proclamation of Result of Election by Governor

—On the twenty-fifth day after the election is held, or as soon thereafter as practicable, the said certificates shall be laid before the governor, whose duty it shall be to as-
and declare the same by proclamation published in one or more newspapers printed at the seat of government. If a majority of the votes cast at said election upon said question be for ratification of said amendment, the proposed amendment so ratified shall be in force and effect from and after the time of such ratification, as part of the constitution of the state.

Sec. 6. *Publication of Proposed Amendment by Governor.*—The governor shall cause the said proposed amendment, with the proper designation for the same as hereinbefore adopted, to be published one time at least three months before such election in some newspaper in every county in which a newspaper is printed, at a price to be agreed upon in advance, in writing, and the cost of such advertising shall in the first instance, if found necessary by him, be paid out of the governor's contingent fund and be afterwards repaid to such fund by appropriation of the Legislature.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 7

day of March, 1955.

Governor.

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D. Pitt O'Brien
SECRETARY OF STATE