

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1957



ENROLLED

HOUSE BILL No. 24

(By Mr. Rife)



PASSED Jan 28 1957

In Effect July 1, 1957 Passage



**ENROLLED**  
**House Bill No. 24**

(By MR. RIFE)

[Passed January 28, 1957; in effect July 1, 1957.]

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 amended, relating to compensation of jurors; taxation of jury fees as costs; 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, as amended, be amended and reenacted to read as follows:

Section 21. *Compensation of Jurors; Taxation of Jury*  
2 *Fees as Costs; Disposition Thereof.*—Any person summoned  
3 ed as aforesaid, by virtue of a venire facias or otherwise,  
4 to serve as a petit juror, and actually attending upon the  
5 court, or attending at the courthouse, at the time summoned,  
6 whether he be called to serve on a jury or not,

7 shall, for each day he so attends, be entitled to receive  
8 the sum of not less than five and not more than eight dol-  
9 lars, to be fixed by order entered of record, and the same  
10 mileage allowed to witnesses, to be paid out of the county  
11 treasury: *Provided*, That the per diem aforesaid shall be  
12 paid out of the state treasury for the day or days any per-  
13 son serves as a juror on a felony case; that for each day he  
14 shall not actually attend at the courthouse he shall receive  
15 nothing, and that he shall be allowed mileage but once dur-  
16 ing the term: *Provided further*, That when a jury in case  
17 of felony shall be placed in the custody of the sheriff, he  
18 shall provide for and furnish such jury necessary meals  
19 and lodging while they are in such sheriff's custody, at a  
20 reasonable cost to be determined by an order of the court,  
21 and such meals and lodging shall be paid for out of the  
22 state treasury, as provided for above, for jury service in  
23 felony cases. There shall be taxed in the costs against any  
24 person against whom a judgment on the verdict of a jury  
25 may be rendered in a case of misdemeanor, and against  
26 any person against whom judgment on the verdict of a jury  
27 may be rendered in a civil action, and against any person

28 on whose motion the verdict of a jury is set aside and a  
29 new trial granted, eight dollars for jury costs, which, when  
30 collected from the party, shall be paid into the county  
31 treasury. All money so received by the clerk shall be forth-  
32 with paid by him to the sheriff, and the clerk and his sure-  
33 ty shall be liable therefor on his official bond as for other  
34 money coming into his hands by virtue of his office.

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

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*E. M. Boutwell*  
Chairman Senate Committee

*Joseph R. Gilmore*  
Chairman House Committee

Originated in the House of Delegates

Takes effect *July 1, 1957* passage.

*Thomas M. Meyer*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Raymond B. Brown*  
President of the Senate

*W. J. Starnes*  
Speaker, House of Delegates

The within *approved* this the *1<sup>ST</sup>*

day of *February*, 1957.  
*Leif A. Underwood*  
Governor

