WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

HOUSE BILL No. 24

(By Mr. Rife)

PASSED Jan 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 Fees as Costs; Disposition Thereof.—Any person summoned as aforesaid, by virtue of a venire facias 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 five and not more than eight 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 case of felony shall be placed in the custody of the sheriff, he shall provide for and furnish such jury necessary meals and lodging while they are in such sheriff's custody, at a reasonable cost to be determined by an order of the court, and such meals and lodging shall be paid for out of the state treasury, as provided for above, for jury service in felony cases. There shall be taxed in the costs against any person against whom a judgment on the verdict of a jury may be rendered in a case of misdemeanor, and against any person against whom judgment on the verdict of a jury may be rendered in a civil action, and against any person
on whose motion the verdict of a jury is set aside and a new trial granted, eight dollars for jury costs, which, when collected from the party, shall be paid into the county treasury. All money so received by the clerk shall be forthwith paid by him to the sheriff, and the clerk and his surety shall be liable therefor on his official bond as for other money coming into his hands by virtue of his office. The clerk of the circuit court of each county in this state shall annually certify to the county court a list of all money so paid to him, and by him paid to the sheriff, and, in addition thereto, a correct list of all the cases in which jury fees have been taxed, and are, at the time, properly due and payable in the county treasury, and the sheriff of the county shall be held to account in his annual 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, 1957

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker, House of Delegates

The within approved this the 1st day of February, 1957.

Governor