

Filed in Office of the Secretary of State
of West Virginia FEB 17 1960

JOE F. BURDETT
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1960



ENROLLED

Committee Substitute for
HOUSE BILL No...*2*.....

(By Mr *Brotherton* and *Mr. Seckert*)



PASSED *February 11,* 1960

In Effect *July 1, 1960.* ~~Passage~~



ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 2

(Originating in the Committee on the Judiciary.)

[Passed February 11, 1960; in effect July 1, 1960.]

AN ACT to amend and reenact section eleven, article one, chapter fifty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, prescribing a uniform system of fees to be charged by clerks of circuit courts, providing rates and manner of collection of such fees, and relating generally to fees, costs and accounts of other officers and parties to actions and suits.

Be it enacted by the Legislature of West Virginia:

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

Section 11. *Fees to Be Charged by Clerk of Circuit*
2 *Court.*—The clerk of a circuit court shall charge and col-
3 lect for services rendered as such clerk the following fees,

4 and such fees shall be paid in advance by the parties for
5 whom such services are to be rendered:

6 For instituting any civil action under the rules of civil
7 procedure, any statutory summary proceeding, any extra-
8 ordinary remedy, the docketing of civil appeals, or any
9 other action, cause, suit or proceeding; ten dollars.

10 In addition to the foregoing fees, the following fees shall
11 likewise be charged and collected:

12 For any transcript, copy or paper made by the clerk
13 for use in any other court or otherwise to go out of the
14 office, for each page, twenty-five cents;

15 For action on suggestion, five dollars;

16 For issuing an execution, two dollars;

17 For issuing or renewing a suggestee execution, includ-
18 ing copies, postage, registered or certified mail fees and
19 the fee provided by section four, article five-a, chapter
20 thirty-eight of this code, three dollars.

21 For vacation or modification of a suggestee execution,
22 one dollar;

23 For docketing and issuing an execution on a transcript
24 of judgment from a justice's court, three dollars;

25 For arranging the papers in a certified question, writ of
26 error, appeal or removal to any other court, five dollars;

27 For postage and express and for sending or receiving
28 decrees, orders or records, by mail or express, three times
29 the amount of the postage or express charges;

30 For each witness summons over and above five, on the
31 part of either plaintiff or defendant, to be paid by the
32 party requesting the same, twenty-five cents;

33 For additional services (plaintiff or appellant) where
34 any case remains on the docket longer than three years,
35 for each additional year or part year, five dollars.

36 The clerk shall tax the following fees for services in any
37 criminal case against any defendant convicted in such
38 court;

39 In the case of any misdemeanor, ten dollars;

40 In the case of any felony, twenty dollars.

41 No such clerk shall be required to handle or accept for
42 disbursement any fees, costs or accounts, of any other
43 officer or party not payable into the county treasury, ex-
44 cept it be on order of the court or in compliance with the
45 provisions of law governing such fees, costs or accounts.

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

James Davis, Jr.
Chairman Senate Committee

Eudora Andrews
Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1960 ~~passage~~

Howard Myers
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

Ralph Bean
President of the Senate

J. H. Raulo
Speaker, House of Delegates

The within approved this the 16th
day of February, 1960.

Earl B. Burdett
Governor



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