

JUROBS: Traveling expenses

October 19, 1936 ¹⁰⁻²⁰

Mr. Fred W. Harvey
Clerk of Circuit Court
Knox County
Edina, Missouri



Dear Sir:

This department is in receipt of your letter of September 29, requesting an opinion as to the following:

"I am asking your opinion in a matter pertaining to per diem of jurors.

"1. If a juror reports on the first day for which he is called and is then dismissed for a period of two days or more, should he receive mileage for both trips? and

"2. Should a juror receive mileage for each adjourned term to which he is ordered back? or

"3. Should he receive five cents for each mile necessarily traveled going from his place of residence to the court-house and returning to same. (ONE TRIP per Term) "

Section 8763, Revised Statutes Missouri 1929, provides:

" Each grand and petit juror on the regular panel shall receive three dollars per day for every day he may actually serve as such, and five cents for every mile he may necessarily travel going from his

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place of residence to the court-
house and returning to the same,
to be paid out of the county
treasury."

We assume that your request refers to this section of the statute, and while it is silent as to the questions asked by you, nevertheless, it is the opinion of this department that where there is an intervening day caused by order of the court that the juror should be paid the necessary traveling expenses in traveling from his place of residence to the courthouse and returning to same. We believe this to be a matter of general practice and is an equitable interpretation of the statutes.

Respectfully submitted,

JOHN W. HOFFMAN, Jr.
Assistant Attorney General

APPROVED:

ROY McKITTRICK
Attorney General

JWH:LC