

PARKER v. KEMPTON.

{1 Wall. Jr. 344.}<sup>1</sup>

Circuit Court, E. D. Pennsylvania. Oct. Term. 1849.

JURORS' FEES.

Jurors living at a distance, and not receiving mileage at adjournment, are entitled to a per diem for those days during which the jury stands adjourned, as well as for those to which it stands adjourned, and on which the jurors appear and answer to their names.

{Cited in *Edwards v. Bond*, Case No. 4,294.}

This case having been called on Monday morning, and being then fixed for Thursday following, the jury was discharged until the latter day. Some of the jurors coming from a distance, and the marshal, as it appeared, not being allowed, under the regulations of the treasury, to pay other mileage than at 1145 the beginning and end of the term, THE COURT, upon the application of one of the jurors who came from Harrisburg, gave it as their opinion, that the jurors who came from a distance should be allowed a per diem for those days during which the panel stood adjourned, and not merely, as is the case in regard to jurors living within the city and districts, on those days to which they were from time to time adjourned, and on which they appeared and answered to their names.

<sup>1</sup> {Reported by John William Wallace, Esq.}