

tenths of a mill per year on all taxable property within said city. The tax so levied shall be transmitted with other tax levies to the auditor of the county in which such city is located and by said county shall be collected and payment thereof enforced, when and in like manner as state and county taxes are paid. As soon as practicable after the first day of June, and the first day of November in each year, the county treasurer of each such county shall pay to the treasurer of each such relief association within said county the amount of such tax then collected and payable to said association, together with all interests and penalties so collected, and all interest collected thereon between the time of collection and the time of payment to such relief association and the city treasurer of such city in the event that such tax or any part thereof is paid to him, shall likewise pay the same to the treasurer of the policeman's relief association of such city, as soon as the same has been collected, together with all interest and penalties thereon. If a policeman in any such city is separated from the service due to resignation or some reason not involving moral turpitude, under such circumstances that no pension benefits are payable to him or his widow or children, then the treasurer of such pension fund shall return to such policeman, or in case of his death, to his heirs, executors, or administrators, all of the amounts so deducted from his salary without interest, but less the amount of any disability or other benefits paid to such policeman.

Approved April 16, 1951.

CHAPTER 375—S. F. No. 909

An act relating to fees to be charged and collected by sheriffs for certain services; amending Minnesota Statutes 1949, Section 357.09.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1949, Section 357.09, is amended to read:

357.09. **Sheriffs' fees.** The fees to be charged and collected by the sheriff shall be as follows, and no other or greater fees shall be charged for:

(1) Serving a summons, warrant, writ, or any process issued by a court of record, \$1.50 for each defendant served and mileage;

(2) Serving subpoena, 75 cents for each witness summoned and mileage;

(3) Taking and approving a bond, 75 cents, and for certified copy thereof, 15 cents per folio;

(4) Copy of any paper served by him, when copy is made by him, 15 cents per folio;

(5) Collection on execution after levy, four per cent on the first \$250 and two per cent on the excess thereof;

(6) Advertising sale, \$1.00 and reasonable printer's fee paid by the sheriff for such advertisement;

(7) Posting three notices of sale, \$2.25;

(8) Certificate of sale of real estate \$3.00; copy thereof, when requested, \$1.50;

(9) Serving a writ of restitution, removing occupants, and putting the person entitled thereto into possession, \$4.50;

(10) Summoning a jury upon a writ of inquiry, attending such jury, and returning the inquisition, \$2.25;

(11) Summoning a jury in obedience to the precept of an officer in special proceedings, \$3.00 and mileage for necessary travel in summoning the panel; attending such jury when requested, \$1.50; attending court, \$4.50 per day;

(12) Summoning a grand jury or a petit jury, 50 cents for each juror and mileage at 15 cents a mile for travel necessary in summoning the panel;

(13) Producing a person upon a writ of habeas corpus or a warrant of arrest, surrendering him in exoneration of bail or receiving him into custody for such exoneration, or bringing any prisoner before any court or officer for examin-

ation or committing him to jail, \$1.50 and mileage; attendance before such court or officer during such examination, \$1.50;

(14) Serving attachment on a boat or vessel in proceedings to enforce a lien created by law, \$4.50 and such additional compensation for services and expenses in taking possession of and preserving the same as the officer issuing the process may allow; selling such boat or vessel or the equipment thereof and advertising the sale, the same fees as allowed on execution;

(15) Making an appraisal in any case, \$2.00 for each day and \$1.00 for each half day for every appraiser necessarily employed;

(16) Making an inventory of property levied upon, replevined, or attached, 25 cents for each folio, and for copies ten cents per folio;

(17) Selling land on foreclosure of mortgage, for all services required, \$4.50; postponing such sale, \$1.50;

(18) Making diligent search and inquiry and returning summons when defendants cannot be found, \$1.50;

(19) Returning execution unsatisfied, \$1.50;

(20) Receiving and paying over money paid on redemption of property and executing certificate, one per cent on the amount so received, to be collected from the person redeeming, such fee not to exceed \$7.00 in any case;

(21) Securing and safely keeping property in replevin or attachment or on execution, such sum as the court may allow;

(22) Serving order or citation of probate court, or apprehending an alleged insane person by order thereof, \$2.00 and mileage; conveying insane person to hospital, \$6.00 per day and his expenses, including food and necessary assistance and the amount of the expenses and transportation charges for any insane person whom he may have in custody, necessarily incurred in the performance of any duty relative to such

person; all such bills to be audited by the probate judge and paid out of the general fund of the county;

(23) For services in attempting the collection of personal tax warrants, such reasonable compensation as the county board shall allow; from such allowance the county attorney, or any five taxpayers of the county, may appeal to the district court, which may summarily determine the amount equitably due;

(24) For services not herein enumerated, the sheriff shall be entitled to the same fees as for similar duties.

When mileage is allowed the sheriff it shall be computed from the place where court is usually held and, except as otherwise specially fixed, shall be at the rate of 15 cents per mile for the first 30 miles of the total mileage and ten cents per mile thereafter. When two or more witnesses subpoenaed in the same action live in the same general direction, mileage shall be charged only for the subpoenaing of the most remote. When court is usually held at one or more places, other than the county-seat of a county, such mileage shall be computed from the place from which the sheriff or deputy sheriff travels in performing any service.

He shall be allowed reasonable and necessary expenses actually paid out for food furnished any prisoner while conducting him to jail and for his transportation by a common carrier.

The fees allowed for the service of an execution, for advertising thereon, and for filing certificate with the register of deeds shall be collected by virtue thereof and in the same manner as the sum therein directed to be levied; but when there are several executions in the sheriff's hands against the same defendant at the time of advertising, there shall be only one advertising fee charged, and the sheriff shall elect on which execution he will receive the fee.

This section shall not relate to or affect the fees of the sheriff of any county having a population of over 225,000.

Approved April 16, 1951.