

court at least 20 days before the dates herein fixed for holding said court;

In Pine County on the second Tuesday in March and the second Tuesday in September;

In Washington County on the first Monday in January, the first Monday in April and the first Monday in October.

In addition to the general terms of the district court in Washington County, special terms of said court shall be held in said county on the second Monday of each month for the trial of issues of law and fact without jury, and the hearing of motions and applications.

Sec. 20. [482.18] *The revisor of statutes in compiling Minnesota Statutes may arrange the terms of district court as provided in Minnesota Statutes 1957, Sections 484.09 to 484.27, and any amendments thereto, grouped by counties within judicial districts.*

Approved April 15, 1959.

CHAPTER 250—S. F. No. 729

An act relating to fees of certain clerks of district court; providing for the correction of the provisions of Minnesota Statutes in relation thereto; amending Minnesota Statutes 1957, Sections 148.58; 259.11; 333.04; 357.021, Subdivision 1; 508.81; and 605.03.

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

Section 1. Minnesota Statutes 1957, Section 148.58, is amended to read:

148.58 **Certificates filed; fee.** The holder of any certificate of registration shall file the same for record with the clerk of the district court in the county where he resides and after record shall display it conspicuously at his place of business. Upon removal to another county, he shall there in like manner file his certificate before engaging in business therein. Such clerk's fee shall be *as provided by law.*

Sec. 2. Minnesota Statutes 1957, Section 259.11, is amended to read:

259.11 **Order; filing.** If it shall appear to the court to be proper, it shall grant the application and set forth in the order the name and age of his wife and each child of the

applicant, if any, and shall state a description of the lands, if any, in which the applicant and said wife and children, if any, claim to have an interest. The clerk shall file such order, and record the same in the judgment book. If lands be described therein, a certified copy of the order shall be filed for record, by the clerk, with the register of deeds of each county wherein any of the same are situated. Before doing so he shall present the same to the county auditor who shall enter the change of name in his official records and note upon the instrument, over his official signature, the words "change of name recorded." Any such order shall not be filed, nor any certified copy thereof be issued, until the applicant shall have paid to the clerk the cost of such record. The fee of the clerk shall be as provided by law.

Sec. 3. Minnesota Statutes 1957, Section 333.04, is amended to read:

333.04 Filing certificate; fee. The several clerks of the district courts of this state shall keep an alphabetical list of all persons filing certificates provided for in section 333.01, and for the indexing and filing of such certificates they shall receive *the fee provided by law*. A copy of such certificate, duly certified to by the clerk of the district court in whose office the same is filed, shall be presumptive evidence in all courts of law in this state of the facts therein contained.

Sec. 4. Minnesota Statutes 1957, Section 357.021, Subdivision 1, is amended to read:

357.021 Subdivision 1. The fees to be charged and collected by the clerk of the district court shall be as follows:

- (1) Entering an action, \$1;
- (2) Entering an appearance, 25 cents;
- (3) Filing and entering each instrument, 20 cents;
- (4) Indexing, 25 cents for each plaintiff and 25 cents for each defendant;
- (5) Entering an action on calendar, \$1;
- (6) Entering a continuance, setting for trial, or striking from calendar, 50 cents;
- (7) Entering a dismissal, 50 cents for each plaintiff and each defendant;
- (8) Issuing a subpoena, 50 cents for each name;
- (9) Swearing each witness, 25 cents;

- (10) Swearing each officer to take charge of a jury, 25 cents;
- (11) Calling and swearing a jury, \$1;
- (12) Entering each motion and order, in term, 50 cents;
- (13) Receiving and recording a verdict, \$1.50;
- (14) Taxing costs, \$1.50;
- (15) Entering a judgment, \$1 for the first three folios, 25 cents for each additional folio;
- (16) Copy of judgment to be attached to the judgment roll, \$1 for the first three folios, 25 cents for each additional folio;
- (17) Docketing judgment, 75 cents for each judgment debtor;
- (18) Mailing each clerk's notice and making note in records, 50 cents;
- (19) Issuing a writ, \$1.50;
- (20) Issuing an execution and filing the return thereof, \$2;
- (21) Issuing a transcript of judgment docket, \$2;
- (22) Filing and entering a satisfaction of judgment, partial satisfaction of judgment, or assignment of judgment, \$1;
- (23) Entering a default judgment for recovery of money only, \$7.50 and 25 cents for each additional plaintiff and each additional defendant, and 75 cents for each additional judgment debtor;
- (24) Entering a transcript of judgment, \$3.50, and 25 cents for each additional plaintiff and each additional defendant, and 75 cents for each additional judgment debtor;
- (25) All services in change of name proceedings, \$3.50, and \$1.50 for each certified copy of order;
- (26) Approving a bond and sureties thereon, \$1;
- (27) Transmitting a change of venue, \$1.50;
- (28) Issuing a commission to take a deposition, \$1;
- (29) Each certificate of clerk, 50 cents;
- (30) Certificate of exemplification, \$1.50;

(31) Certified copy, \$1 for the first three folios, 25 cents for each additional folio, and 50 cents for the certificate;

(32) Certificate as to existence or non-existence of judgments docketed, 50 cents for each name certified to and 50 cents for each judgment certified to;

(33) Searching the records and files, 25 cents for each year searched;

(34) Filing and indexing trade name, \$1;

(35) Certified copy of application or certificate of marriage, \$1;

(36) Recording notary commission, \$1;

(37) Recording license or certificate of ordination of clergyman, \$1;

(38) Recording basic science certificate, \$1;

(39) Recording certificates of physicians, dentists, osteopaths, chiropractors, veterinarians and optometrists, \$1;

(40) *Filing and entering notice of appeal and bond and making return on appeal to supreme court, \$5;*

(41) All other services required by law for which no fee is herein provided, such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court; except, however, no fee shall be allowed the clerk of court for receiving and paying over any money deposited with the clerk of court where the money is paid or deposited by or for the state of Minnesota, pursuant to section 117.10.

Sec. 5. Minnesota Statutes 1957, Section 508.81, is amended to read:

508.81 Clerks' fees; notices: In counties having a population of less than 600,000 and containing a city of the first class, on the filing of any application for registration, the applicant shall pay the clerk of the court the sum of \$3.00, which shall be in full of all clerk's fees and charges in such proceedings on his behalf. Any defendant on entering his appearance shall pay a like sum, which shall be in full of all clerk's fees on his behalf. When any number of defendants enter their appearance jointly but one fee shall be paid. Every publication in a newspaper required by this law shall be paid for by the party on whose application the publication is made. The party at whose request any notice is issued shall pay for the service of the same, except when sent by mail by the clerk

or by the registrar. In all other counties the fees of the clerk of the district court for services performed in connection with his duties in proceedings for the registration of a land title shall be governed by the provisions of Minnesota Statutes, section 357.021.

Sec. 6. Minnesota Statutes 1957, Section 605.03, is amended to read:

605.03 Requisites of appeal. An appeal shall be made by the service of a notice, in writing, on the adverse party, and on the clerk with whom the judgment or order appealed from is entered, stating the appeal from the same, or some specific part thereof. To render the appeal effective for any purpose the party appealing shall, within the time provided by law for taking such appeal, file the notice together with the bond on appeal with the clerk of the lower court, and at the time of filing the notice and bond the appellant shall deposit with the clerk the sum of \$15, of which \$10 shall be transmitted to the clerk of the supreme court, as provided in section 605.04, as and for the filing fee required in the supreme court by section 357.08, and the remainder retained by the clerk of the court below as and for the fee provided in section 357.021. When a party, in good faith, gives notice of appeal from a judgment or order, and omits, through mistake, to do any other act necessary to perfect the appeal, or to stay proceedings, the court may permit an amendment on such terms as may be just.

Approved April 15, 1959.

CHAPTER 251—S. F. No. 823

An act relating to Minnesota Statutes, repealing certain obsolete sections of Minnesota Statutes relating to cities of the first class; repealing Minnesota Statutes 1957, Sections 418.04, 418.05, 418.051, 418.06, 418.07, 418.08, 418.09, 418.10, 421.01, 421.02, 421.03, 421.04, 421.05, 421.06, 421.07, 421.08, 421.09, 421.10, 426.16, 435.21, 446.02, 447.24, 447.25, 447.26, 447.27, 447.28, 447.29, 448.17, 448.18, 448.19, and 448.20.

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

Section 1. Repealer. Minnesota Statutes 1957, Sections 418.04, 418.05, 418.051, 418.06, 418.07, 418.08, 418.09, 418.10, 421.01, 421.02, 421.03, 421.04, 421.05, 421.06, 421.07,