

CHAPTER 632—H. F. No. 1248

[Not Coded]

An act fixing and regulating the collection and disposition of fees of clerks of the district court in Anoka county.

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

Section 1. Clerk of court; fees; exception. Every person, including the state of Minnesota and all bodies politic and corporate, who shall transact any business in the district court, in and for Anoka county shall pay to the clerk of said court, for the use of said county, the sundry fees hereinafter prescribed; provided, however, that Anoka county, being a party to any action or proceeding in the district court established in such county, shall be required to pay fees to the clerk thereof.

Sec. 2. Case entry; defendant's appearance; fee. In every civil action or proceeding in said court, the plaintiff, petitioner, or other moving party shall pay, when the same is entered in said court, or when the first paper on his part is filed therein, a fee of \$4.

The defendant or other adverse or intervening party, or any one or more of several defendants, or other adverse or intervening parties appearing separately from the others, shall pay when his or their appearance is entered in such action or proceeding, or when the first paper on his or their part is filed therein, a fee of \$4.

Sec. 3. Fees; trial; jury. Whenever any action or proceeding in said court is brought on for trial or hearing, each party thereto appearing separately therein, shall, before the introduction of any evidence therein, pay a trial fee of \$3, and in addition thereto, the plaintiff shall pay a jury fee of \$3 for a jury of six, or \$5 for a jury of twelve.

Sec. 4. Upon entry of judgment. Upon the entry of judgment in any action or proceeding in said court, the party entering the same shall pay at the time of the entry thereof a further fee as follows:

(a) In all cases wherein judgment is entered without an order of court, \$2.

(b) In all cases wherein judgment is entered pursuant to an order of court or referee, or upon verdict, except cases involving title to real estate, \$2.

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(c) In all cases involving title to real estate, except actions for foreclosure of mortgages, \$3.

(d) In all actions for foreclosure of mortgages upon real estate, \$5.

(e) The fee prescribed for entering judgment in divorce cases, proceedings for adoption, and cases involving title to real estate, shall include one certified copy of such judgment.

Sec. 5. Appointment of receiver. In all proceedings in which a receiver is appointed, and in all proceedings for taking possession of property under the right of eminent domain, the clerk of said court shall, in addition to the fees prescribed in section 2 hereof, receive such further fees proportionate to the services performed as shall be ordered by said court.

Sec. 6. Additional miscellaneous fees. In addition to the fees hereinbefore prescribed, the clerk of said court shall demand and receive at the time of the performance of the service specified, the following fees:

(a) For every transcript of judgment, \$1.

(b) For every oath administered, except those in connection with actions or proceedings pending in such court, \$.50.

(c) For every certificate except those herein otherwise provided for, \$.50.

(d) For every subpoena issued by the court, \$.50.

(e) For issuing an execution and filing the return thereof or for issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not herein specifically mentioned, \$1.

(f) For filing, entering, and docketing every transcript of judgment from another court, \$1.

(g) For entering and filing every assignment or satisfaction of judgment, \$.50.

(h) For every certified copy of files or records, \$.25 for each folio, in addition to the full fee for certificates; provided, however, that any person may himself furnish a transcript of any files or records, and the clerk shall, when requested, compare, correct, and certify such transcript upon

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the receipt of \$.10 for each folio thereof in addition to the full fee for certificates.

(i) For all uncertified copies, transcripts, and memoranda of files and records, \$.25 for each folio; but the fee for any particular item so furnished shall not be less than \$.50.

(j) For making judgment search for each debtor, \$.50.

(k) For the filing of each partial, final, or annual account in all trusteeships, \$1.

Sec. 7. Garnishments and habeas corpus proceedings. For the purpose of this act all garnishments, all habeas corpus proceedings, unless otherwise ordered by the court, shall be deemed proceedings, and it shall be the duty of the clerk of such court to demand and receive fees accordingly.

Sec. 8. Other fees. All fees not herein specifically provided for shall be such as are now or hereafter may be provided for by law for clerks of such district court.

Sec. 9. Fees in criminal cases. In all criminal proceedings in said court, unless otherwise ordered by said court, the clerk shall demand and receive the following fees:

(a) For certified copies of files and records, the same fees as are provided in civil matters.

(b) For making search and certificate of any fact shown by records, \$1.

Sec. 10. Marriage license. For each marriage license, \$2.

Sec. 11. License fees. For recording the license of a physician or the credentials of license or ordination of a clergyman, and giving a certificate thereof, \$1.

Sec. 12. Registering trade name. For filing and registering of each trade name, \$1.

Sec. 13. Paid in advance. All fees of said clerks, except in criminal proceedings, shall be paid in advance at or prior to the time herein prescribed, and said clerk shall not proceed in any matter requiring the payment of fees until the full amount of the same is paid.

Sec. 14. Actions pending. This act shall not affect

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any actions or proceedings that have been or are now pending in said court, except that the fees for all certified copies furnished by the clerk on and after April 28, 1961, shall be in accordance with the provisions of this act.

Sec. 15. **Severable.** All acts and parts of acts inconsistent herewith are hereby superseded, modified, or amended so far as necessary to give full force and effect to the provisions of this act.

Approved April 20, 1961.

CHAPTER 633—H. F. No. 1250

An act relating to the state employees retirement fund; amending Minnesota Statutes 1957, Section 352.04, by adding a subdivision thereto.

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

Section 1. Minnesota Statutes 1957, Section 352.04, is amended by adding a new subdivision to read:

Subd. 9. *The obligation of employing state departments to pay "additional" employer contributions to the fund for services of their employees employed between July 1, 1957 and December 31, 1958 and rights of employing state departments to refundments therefrom because of overpayment of "additional" employers contributions accruing for said period but unpaid as of June 30, 1961 are canceled.*

Sec. 2. *This act takes effect July 1, 1961.*

Approved April 20, 1961.

CHAPTER 634—H. F. No. 1257

[Not Coded]

An act relating to the redistricting of independent school district No. 381, of Lake county, Minnesota; repealing Laws 1959, Chapter 488.

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

Section 1. **Independent school district No. 381; redis-**

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