

1, 1967, the land exchange commission shall not approve the acquisition by the United States of land within the boundaries of the Superior National Forest in St. Louis, Lake or Cook counties, under Minnesota Statutes, Section 1.041, Subdivision 2, nor approve any exchanges between the state of Minnesota and the United States under Minnesota Statutes, Sections 94.341 to 94.347, in this area and hold in abeyance the conveyance of any such lands on which the exchanges have already been approved; provided, however, that this prohibition shall not apply to exchanges whether with the state or private interests, where the purpose of the exchange is related to the development of taconite, semitaconite, copper, copper nickel, or nickel projects.

Approved May 21, 1965.

CHAPTER 554—H. F. No. 709

[Not Coded]

An act relating to courts; fixing and regulating the collection and disposition of fees of the clerk of the district court in Mower County.

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

Section 1. Mower county; clerk of district court; fees. 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 Mower county, shall pay to the clerk of said court, for the use of said county, the sundry fees hereinafter prescribed; provided, however, that Mower county, being a party to any action or proceeding in the district court established in such county, shall not be required to pay fees to the clerk thereof.

Sec. 2. 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 \$10.

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 the first paper on his or their part is filed, or when his or their first appearance is entered in said action, a fee of \$5.

The fees above stated shall be the full trial fee chargeable to

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said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified copies of any papers so filed.

Sec. 3. 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 fee:

(a) Copy of any instrument from civil or criminal proceedings, \$2.50 and \$1 for a certificate of the clerk.

(b) Issuing a subpoena, 50 cents for each name.

(c) Issuing an execution and filing the return thereof; issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warrants, certiorari, or other writs not specifically mentioned, \$2.

(d) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment from another court, \$3.

(e) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of judgment, \$1.

(f) Certificate as to existence or nonexistence of judgments docketed, 50 cents for each name certified to, and 50 cents for each judgment certified to.

(g) Filing and indexing trade name; recording notary commission; recording basic science certificate; recording certificates of physicians, dentists, osteopaths, chiropractors, veterinarians, or optometrists, \$1.

(h) Filing and entering notice of appeal and bond making return on appeal to supreme court, \$5.

(i) All other services required by law for which no fee is provided, such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court.

Sec. 4. Subdivision 1. All fees of said clerks, except in criminal proceedings, shall be paid in advance at or prior to the time of the performance of any service requiring payment of such fees, and said clerk shall not proceed in any matter requiring the payment of fees until the full amount of the same is paid.

Subd. 2. This act shall not affect any actions or proceedings that have been or are pending in said court on the effective date hereof.

Sec. 5. The clerk shall pay over to the county treasurer all

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fees collected, and in the manner and at the times prescribed by the county board.

Sec. 6. 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.

Sec. 7. This act shall become effective January 1, 1967.

Approved May 21, 1965.

CHAPTER 555—H. F. No. 826

An act relating to inheritance, estate and transfer taxes, amending Minnesota Statutes 1961, Section 291.01, Subdivision 4, as amended.

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

Section 1. Minnesota Statutes 1961, Section 291.01, Subdivision 4, as amended by Laws 1963, Chapter 740, Section 1, is amended to read:

Subd. 4. **Inheritance, estate and transfer taxes; jointly owned property.** (1) Whenever any property, real or personal, is held in the joint names of two or more persons, or is deposited in banks or in other institutions or depositories in the joint names of two or more persons payable to either or the survivor, upon the death of one of such persons the right of the survivor or survivors, to the immediate ownership or possession and enjoyment of such property, shall be deemed a transfer and subject to the inheritance tax imposed by this chapter, except such part thereof as may be shown to have originally belonged to the survivor or survivors and never to have been received or acquired by them from the decedent for less than an adequate and full consideration in money or money's worth; in which case there shall be excepted only such part as is proportionate to the consideration furnished by the survivor or survivors. Provided, where any property has been acquired prior to April 29, 1935, by the decedent and spouse, as joint tenants, not in excess of one-half of the value thereof shall be taxable. Provided, further, where property has been acquired at any time by gift, bequest, devise, or inheritance, by the decedent and any other person or persons, as joint tenants, the taxable portion shall be the value of a fractional part of said property to be determined by dividing the value of the property by the number of joint tenants.

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