

ministration shall thereupon proceed to sell such stock at the highest prices obtainable in accordance with the laws relating to the sale of surplus materials, except that he may, in his discretion, dispense with advertising for bids. All proceeds of such sales shall be credited to the State Tree Planting Revolving Fund. The provisions of Laws 1939, Chapter 431, and any other existing laws relating to the sale of such materials are hereby modified and superseded so far as may be necessary to give effect to the provisions hereof.

Sec. 7. Repeal of Section 89.08. Minnesota Statutes 1945, Section 89.08, is hereby repealed.

Approved March 15, 1947.

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#### CHAPTER 95—H. F. No. 608

[Coded as Section 357.02, Subdivisions 1 and 2]

*An act relating to fees of clerks of district courts, and to amend Minnesota Statutes 1945, Section 357.02.*

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

Section 1. Minnesota Statutes 1945, Section 357.02, is amended to read as follows:

357.02. Fees of clerk of district court. Subdivision 1. Schedule. The fees to be charged and collected by the clerk of the district court shall be as follows, and no lesser or greater fees shall be charged for:

(1) Issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not herein specifically mentioned, \$1.00; issuing an execution and filing the return thereof, \$1.00; issuing a subpoena, 50 cents for each name;

(2) A certified copy of a judgment, a writ, a rule, or an order, 75 cents for the first three folios, 15 cents for each additional folio, and 50 cents for the certificate;

(3) Entering an appearance, non-suit, continuance, setting for trial, or striking from calendar, 25 cents;

(4) Entering each motion and order, in term, 50 cents;

(5) For each certificate, 50 cents;

- (6) Calling and swearing a petit jury in a civil case, 75 cents;
- (7) Swearing each witness, 25 cents;
- (8) Swearing an officer to take charge of a jury, 25 cents;
- (9) Entering a cause on the court calendar and making a copy thereof for the bar, 50 cents;
- (10) Receiving and *recording* a verdict, 75 cents;
- (11) Entering an action, 75 cents;
- (12) Entering a judgment 75 cents for the first three folios, and 15 cents for each additional folio;
- (13) Copy of judgment to be attached to the judgment roll, 75 cents for the first three folios and 15 cents for each additional folio;
- (14) *Filing and entering a satisfaction of judgment, or assignment of judgment*, 50 cents;
- (15) *Filing and entering each instrument*, 10 cents;
- (16) Searching judgment docket books of his office, and certifying to the existence or non-existence of judgments docketed therein, 50 cents for each *name certified to*;
- (17) Searching the records or files in his office, 25 cents for the records or files of each year;
- (18) Recording credentials or ordination of ministers and giving a certificate *thereof*, \$1.00;
- (19) *Entering, filing, indexing, and docketing a transcript of judgment from another county or from a municipal or justice court, when but one judgment debtor*, \$2.50;
- (20) *For issuing a commission to take a deposition*, \$1.00;
- (21) Making docket of judgment, 50 cents for each judgment debtor;
- (22) Taxing costs, 75 cents;
- (23) A certified copy of a *return of marriage*, \$1.00;
- (24) *For issuing a transcript of judgment from judgment docket*, \$1.00;
- (25) In actions for partition of land or proceedings in assignments for the benefit of creditors, and proceedings under the right of eminent domain, the court, or a judge thereof,

may, by order, from time to time, fix the amount which may be charged and collected, which may be in excess of the amounts hereinbefore provided; 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;

(26) All other services required by law for which no fee is herein provided, such fees as compare favorably with those herein prescribed, or such as may be fixed by rule or order of the court;

(27) Making return of the record to the supreme court on an appeal from the district court to the supreme court, \$5.00;

(28) *Indexing in the court records for all civil cases, 25 cents for each plaintiff and 25 cents for each defendant;*

(29) *For entering, filing, indexing, taxing costs, entering and docketing judgment in a default action for the recovery of money only, the sum of \$5.00, when there is one judgment debtor; and 50 cents for each additional debtor;*

(30) *Approving a bond and sureties thereon, \$1.00;*

(31) *Issuing a certificate of authentication, 50 cents; issuing a certificate of exemplification, \$1.00;*

(32) *Recording license of physician, \$1.00;*

(33) *Entering a dismissal in register of actions, and court records indexes, 25 cents for each plaintiff and each defendant;*

(34) *For transmitting a change of venue, \$1.00;*

(35) *Filing and entering a trade name, \$1.00;*

(36) *All services in change of name proceedings, \$3.00 and \$1.00 for each certified copy of order;*

(37) *Recording registration of optometrist, \$1.00.*

Sec. 2. Subd. 2. **Counties containing cities of the first class excepted.** This act shall not apply to the Clerk of court in any county containing a city of the first class.

Approved March 17, 1947.