

quent act or omission of such officer, corporation or person, and an order shall be thereupon made to that effect, and in such case the surety so exonerated may enforce an accounting before the governor, head of any department, court or other proper authority of such officer, corporation or person concerning all prior acts the doing for which said surety under the said bond may in any manner be responsible or liable. If any such officer corporation or party upon being ordered to furnish a new bond as aforesaid shall fail to comply therewith he shall be removed, and be compelled to render and settle his accounts as soon as practicable.

And thereupon the vacancy for the unexpired part of the term of such officer, corporation or party shall be filled in the same manner as is now provided by law in case of death, resignation or removal for cause.

Provided further, that nothing herein contained shall operate to discharge or limit the liability of any surety upon any such bond, undertaking or obligation until a new bond is given and approved by the proper authorities or a successor to such officer has been duly appointed and qualified.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 25th, 1895.

95 C 296
246 - 01

CHAPTER 296.

H. F. No. 326.

An act to fix the fees which shall be charged and collected in the office of the clerk of the district court in counties having a population of not less than forty thousand (40,000) and not more than one hundred thousand (100,000).

Fees clerk
district court.

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

SECTION 1. In any county of this state having a population of not less than forty thousand (40,000) people and not more than one hundred thousand (100,000) people, the fees to be charged and collected by the clerk of the district court therein, shall be as follows, and no other or greater fees shall be charged, viz.:

Counties,
40,000 to 100,000.

In every civil action, appeal, or proceeding hereafter entered in the office of such clerk, in which no answer or demurrer is filed or issue joined, the sum of two dollars (\$2.00) except as hereinafter provided. In each

List of fees.

such action, appeal or proceeding in which an answer or demurrer is filed or issue joined, four dollars (\$4.00); *provided* that no such action, appeal or proceeding shall be entered in such clerk's office until the person desiring such entry shall pay to said clerk the sum of two dollars (\$2.00), and when demurrer or answer is filed or issue joined, at the time of or after the entry of such action in said clerk's office, such clerk shall require an additional payment of two dollars (\$2.00) before any further papers shall be filed or entries made pertaining to said action, and said payments when made, and except as herein provided, shall be in lieu of all fees and charges now prescribed by law for all services required by law to be performed by such clerks respectively to and including the entry and docketing of final judgment in any action, *provided* that the fees and charges for certifying transcripts of the minutes of any trial or of any papers on file whether to the supreme court or otherwise shall be in addition to those hereinbefore provided and shall be at the rate of five (5) cents for each folio and twenty-five (25) cents for the certificates excepting that in cases where such copies are furnished for certification by the person requiring the same such clerk shall charge and receive two and one-half (2½) cents per folio for comparing and certifying the same and twenty-five (25) cents for the certificate; *provided further*, that in actions for partition of land, or proceedings under chapter one hundred and forty-eight (148) of the general laws of eighteen hundred and eighty-one (1881), as the same is or may be amended, and in proceedings under the right of eminent domain to acquire property for public use by corporations, the court or a judge thereof, shall by order from time to time made, fix the amount of fees to be charged and collected, which may be in excess of the amounts herein before provided.

For filing and docketing transcript of judgment from another county, or from justice or municipal courts, when but one judgment debtor fifty (50) cents, and ten cents for each additional judgment debtor.

For searching the judgment docket books of his office and certifying to the existence or non-existence of judgments docketed therein, twenty-five (25) cents for the first judgment debtor so certified to in such certificate and ten (10) cents for each subsequent debtor therein.

For all services not hereinbefore provided for, the fees and charges shall be the same as now provided by law.

SEC. 2. In determining at any time to what counties this act shall apply reference shall be had to the United States census then last taken, and the population of any county as ascertained thereby shall govern.

Last U. S. census.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 15th, 1895.

95 C 297 95 C 297
97 - 150 74-M 28
69-M - 297
72-NW 124
76-NW 031

CHAPTER 297.

H. F. No. 345.

An act to provide manner of bonding counties by submitting same to vote of electors for the purposes of raising moneys to fund floating indebtedness to provide poor farm, roads and bridges.

Bonding county indebtedness. 95 c 297
03 - 21

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

SECTION 1. Whenever the county commissioners of any county in this state shall deem it necessary and for the best interest of the inhabitants thereof to issue the bond of their county for any of the following named purposes, to-wit:

To be submitted to the people.

To fund the floating indebtedness of the county, to purchase or improve poor farm or poor house or for constructing or repairing roads or bridges, such commissioners may cause to be submitted a proposition for issuing a stated amount of bonds of their county to a vote of the electors at any general or special election or the annual town meeting by serving or causing to be served upon each of the town clerks or other officers within each election precinct, whose duty it is to give notice of election or town meetings prior to the time required by law for the giving of such notices, a request signed by the chairman of the county board and attested by the county auditor and sealed with the seal of his office, which request shall specify the amount of bonds proposed to be voted for what purpose, and the rate of interest, and said notice of request shall be served personally or by enclosing copy of same in a letter directed to such officers at their place of receiving mail, and duly registering the same, that said town clerk or other officers at the time of giving notice of election or town meeting shall include in such notice the matter of submitting to the voters the question of issuing bonds, specifying therein the amount proposed to be voted for what purposes and rate of interest,