

secretary of the board and, in no other way, and shall constitute a fund to be known and established as the "City Park Fund."

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

II. F. No. 538.

CHAPTER 294.

Sheriffs

An Act to amend section eleven (11) of chapter seventy (70) of the General Statutes of one thousand eight hundred and seventy-eight (1878), relating to the fees of sheriffs, and the service of district court papers, being section fifty-five hundred and fifty (5550) of the General Statutes of one thousand eight hundred and ninety-four (1894).

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

SECTION 1. That section eleven (11) of chapter seventy (70) of the General Statutes of one thousand eight hundred and seventy-eight (1878), being section fifty-five hundred and fifty (5550) of the General Statutes of one thousand eight hundred and ninety-four (1894), be and the same is hereby amended so as to read as follows:

Fees.

Section 11. Sheriffs—For serving a summons, warrant, writ, or any process issued by any court of record, one dollar for each defendant served.

Mileage.

Traveling in making any service upon any writ or summons, ten cents per mile for going and returning, to be computed from the place where the court is usually held, also reasonable and necessary expenses actually paid out for food necessarily furnished any prisoner while conducting him to jail, and all necessary transportation charges actually paid out in transporting any such prisoner by a common carrier.

Taking and approving a bond, fifty cents, a certificate copy of such bond when requested ten cents per folio.

Copy of every summons or other papers served by the sheriff, when such copy is made by him, ten cents per folio.

Collections on executions, when the same is collected or settled after levy, at the rate of four per centum upon

the first two hundred and fifty dollars, and two per centum upon the excess of said sum.

The fees herein allowed for the service of an execution and for advertising thereon, shall be collected by virtue of such execution in the same manner as the sum therein directed to be levied, but when there are several executions against the defendant at the time of advertising his property, in the hands of the same sheriff, there shall be but one advertising fee charged on the whole, and the sheriff shall elect on which execution he will receive the same.

Several executions, one advertising fee.

Advertising sale, one dollar, and the reasonable fees paid to any printer by such sheriff for publishing an advertisement of sale.

Fees.

Posting three notices of such sale one dollar and fifty cents. Every certificate on the sale of real estate, two dollars, and one dollar for each copy, which, together with the register's fees for filing the same, shall be collected as other fees on execution; but no sheriff shall charge for more than one certificate issued upon the same sale to the same purchasers, unless he requires it, in which case he shall pay to said sheriff one dollar for each additional certificate.

Posting notice of sale, etc.

Serving a writ of restitution on possession, and putting any person entitled into the possession of premises, and removing the occupants, three dollars.

Writ of restitution.

Summoning a jury upon a writ of inquiry, attending such jury, and making and returning the inquisition, one dollar and fifty cents. Summoning a special jury, struck pursuant to an order of the court, and returning the panel, fifty cents for each juror and mileage at ten cents per mile for the number of miles necessarily traveled in summoning the panel. Summoning a jury pursuant to any precept or summons of any officer in special proceedings, two dollars; and attending such jury, when required, one dollar, and mileage at ten cents per mile for the number of miles necessarily traveled in summoning the panel.

Summoning jury upon writ of inquiry, etc.

Bringing up a person upon a habeas corpus to testify or answer in any court or with the cause for his arrest and detention, or for the purpose of having him surrendered in exoneration of bail, or receiving such a prisoner so surrendered into his custody, or for committing a prisoner to jail, or for bringing any prisoner before any court or officer for examination, or hearing, in either case one dollar; and for traveling, the same mile-

Habeas corpus, etc.

age as upon service of writs; and the further sum of one dollar for attending before any such officer or court, during any such examination or hearing, attending court, three dollars per day.

Attachment
upon ship,
etc.

Serving attachment upon any ship, boat, or vessel in proceedings to enforce any lien thereon created by law, three dollars, and such additional compensation for his trouble and expenses in taking possession of and preserving the same as the officer issuing the warrant shall certify to be reasonable. Selling any ship, boat, vessel, or the tackle, apparel and furniture thereof so attached, and for advertising the same, the same fees as are allowed on executions.

Inventory
and ap-
praisal.

Making and returning an inventory and an appraisal of property attached in any case, two dollars per day to each appraiser for each day actually employed and one dollar for each half day.

Summon-
ing grand
and petit
jurors.

Summoning grand or petit jurors, fifty cents for each juror summoned, and mileage at fifteen cents per mile for the number of miles necessarily traveled in summoning the panel; also ten cents for copy of a short notice made by him and delivered to each juror serving subpoena, fifty cents for each witness summoned, and mileage as in service of a summons; but when two or more witnesses summoned in the same action live in the same direction, mileage shall be charged only for the furthestest. Selling lands or foreclosure of mortgage by advertisement, and executing certificate and deed to purchaser, and for all services required on such sale, three dollars. Selling land on a decree by foreclosure, and executing a deed, and for all services required in making such sale, the sum of three dollars. Postponing a sale, one dollar, to be paid by the party requesting the same. Making and drafting an inventory of property levied upon, replevied or attached, twenty-five cents for each folio; and for each copy of such inventory, ten cents per folio.

Foreclosure
by adver-
tisement.

On a decree,
etc.

Party not
found.

For diligent search and inquiry, and returning summons when parties cannot be found, one dollar; and returning execution when no property found, one dollar.

On redemp-
tion.

Receiving and paying over the money paid on redemption of property and executing certificate thereof, one per cent on the amount so received and paid to be collected from the person redeeming such property, providing that in no case shall the fee for the making of such redemption exceed the sum of seven dollars.

For the necessary expenses which may be incurred to secure and safely keep all property taken by the sheriff by virtue of a warrant of attachment, execution or writ of replevin, such sum as may be allowed by court.

For all United States revenue stamps, now or hereafter required by law to be used upon any certificate, deed, or other instrument, the cost of such stamps so used, and also such sum as may be required to be paid to the United States government as a tax on any sale made by him.

U. S.
revenue.

For serving order or citation in probate court, one dollar and mileage at ten cents per mile.

Probate
court.

Apprehending a person alleged to be insane, pursuant to the order of the probate court, one dollar, and ten cents per mile mileage; also necessary expenses incurred for necessary assistance in conveying such insane person to or from any such court; also necessary expenses incurred for food furnished such person; also necessary expenses incurred for transportation of any such insane person by any common carrier to or from his home in such proceeding conveying an insane patient to any hospital for the insane, three dollars per day and necessary expenses incurred for food, assistance and transportation charges.

The probate judge is authorized to audit all bills for services rendered or expenses incurred by sheriffs relating to insanity cases, and issue his warrant therefor upon the county treasurer. The treasurer is hereby authorized to pay the same out of the general fund of said county. An equitable amount shall be allowed by the board of county commissioners for services rendered by a sheriff, in serving and attempting to collect personal property tax warrants an appeal shall be allowed at the instance of five taxpayers of the county or by the county attorney, from any such allowance made by the board, to the district court of the proper county, and such court shall have jurisdiction to review in a summary manner, such action by the county board, and determine the amount equitable due.

For any services not herein enumerated, which a sheriff may be required to perform, he shall receive the fees herein allowed for similar services.

Services
not
enumerated.

SEC. 2. This act shall not be construed to repeal any act of the Legislature providing for or regulating the fees or salaries of sheriffs in counties having a population of fifty thousand (50,000) inhabitants or upwards. All acts or parts of acts inconsistent with this act applicable

Counties
of 50,000
or upwards
excepted.

to counties having a population of less than fifty thousand (50,000) inhabitants are hereby repealed.

SEC. 3. This act shall be in force and take effect from and after its passage.

Approved April 20, 1903.

S. F. No. 62.

CHAPTER 295.

Insurance.

An act to amend chapter 178 of the General Laws of 1901, entitled "an act to provide for the incorporation, reincorporation and regulation of life insurance companies on the stipulated premium plan."

Be it enacted by the Legislature of the State of Minnesota:
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SECTION 1. That section seven (7) of chapter one hundred and seventy-eight (178) of the Laws of one thousand nine hundred and one (1901) be and the same hereby is amended to read as follows:

Corporate
power

Section 7. Corporate Power—A corporation organized or doing business under the provisions of this act shall, by the name adopted by such corporation in law, be capable of suing or being sued, and may have power to make and enforce contracts in relation to the business of such corporation, may have and use a common seal, and may change or alter the same at pleasure; in the name of the corporation, association or society, or by a trustee chosen by their board of directors, shall in law be capable of taking, purchasing, holding and disposing of real and personal property for carrying into effect the purposes of their organization, and may, by their board of directors, trustees or managers, make by-laws and amendments thereto not inconsistent with the constitution and laws of this state, or of the United States, which by-laws shall define the manner of electing directors, trustees or managers, and officers of such corporation, and the qualifications and duties of the same, with terms of office, and if a mutual company, the qualifications and privileges of the members and policy holders thereof. Any such corporation shall also have all the powers, rights, privileges, immunities and franchises conferred by this act, together with all implied powers necessary or convenient for the execution and exercise thereof and the ordinary and incidental powers of insurance corporations.