

CHAPTER 332.

S. F. No. 545.

An act authorizing the extension of the term of corporations in certain cases.

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

SECTION 1. Any corporation heretofore organized under the General Laws of this state, whose original term has expired less than three years prior to the passage of this act, may, at any time during the three years allowed by law for winding up its affairs, renew its corporate existence from the date of the expiration of its original term of existence for an additional period not exceeding the original period of its existence, with the same force and effect as if renewed prior to the expiration of its original term of existence, by adopting a resolution expressing such proposed extension by a two-thirds vote of its stockholders, and by filing and publishing the same in the same manner as now provided for filing and publishing of original articles of incorporation, and by paying into the state treasury the same incorporation fees as now provided by law for filing original articles of incorporation.

Extends term of corporation in certain cases.

Filing and publishing.

Provided, that such proceedings to obtain such extension shall be taken within ninety (90) days after the passage of this act, and *provided further*, that this act shall not apply to any corporation which is insolvent or the charter of which has been declared forfeited by the final judgment of any court of competent jurisdiction in this state.

Within 90 days.

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

Approved April 21, 1903.

CHAPTER 333.

H. F. No. 909.

An act fixing and regulating the collection and disposition of fees of clerks of the district court in counties having or which hereafter may have a population of 200,000 inhabitants or over.

Fees of clerk of court.

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

SECTION 1. Every person, including the State of Minnesota and all bodies politic and corporate, who shall

Applies to counties of 200,000 or over.

transact any business in the district court, in and for any county in this state having, or which hereafter may have, a population of 200,000 inhabitants or over, shall pay to the clerk of said court, for the use of said county, the sundry fees hereinafter prescribed: *provided, however*, that no county to which this act applies, 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.

Civil
actions.

SEC. 2. In every civil action or proceeding in said court, except proceedings for change of name, the naturalization of foreign born residents, the registration of land titles, and the enforcement of the payment of taxes, when no answer is filed, 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 \$1.00.

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 \$1.00.

Concerning
fees.

SEC. 3. When any such action or proceeding is dismissed or discontinued by either party before being placed upon the general term calendar, no further fee shall be paid, but upon the dismissal of said action or proceeding after the same has been placed upon said calendar, but before beginning trial, or upon the continuance of the same to a succeeding general term, at the request of either party, the party so dismissing or continuing the same shall, at the time of such dismissal or continuance, pay a further fee of \$.50.

Trial fee.

SEC. 4. Whenever any action of 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 \$2.00. and in addition thereto, the plaintiff shall pay such jury fee as is provided by law.

SEC. 5. 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, except in default divorce cases, a further fee as follows:

A. In all cases wherein judgment is entered without an order of court, \$1.00.

B. In all cases wherein judgment is entered pursuant to an order of court or referee, or upon verdict, except default divorce cases and cases involving title to real estate, \$1.00.

C. In default divorce cases the trial fees shall include entry of judgment.

D. In all cases involving title to real estate, except actions for foreclosure of mortgages, \$2.00.

E. In all actions for foreclosure of mortgages upon real estate, \$4.00.

F. The fee prescribed for entering judgment in divorce cases, proceedings for the adoption of a minor child, and cases involving title to real estate, shall include one certified copy of such judgment.

SEC. 6. 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 hercof, receive such further fees proportionate to the services preformed as shall be ordered by said court.

When
receiver is
appointed.

SEC. 7. 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, \$.50.

B. For every oath administered, except those in connection with actions or proceedings pending in such court, .25.

C. For every certificate except those herein otherwise provided for, .25.

D. For every subpoena issued by the court, .25.

E. For every execution or other writ or process issued in any action or proceeding after judgment therein shall have been docketed, .50.

F. For filing, entering and docketing every transcript of judgment from another court, .50.

G. For entering and filing every assignment of judgment, .25.

H. For every certified copy of files or records, 10 cents 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 the receipt of 2 cents for each folio thereof in addition to the full fee for certificate.

I. For all uncertified copies, transcripts and memoranda of files and records, 15c. for each folio; but the fee for any particular item so furnished shall not be less than \$.15.

J. For making judgment search for each debtor, .25.

Garnish-
ments and
habeas
corpus
proceedings.

SEC. 8. 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. 9. 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. 10. 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, \$.75.

For each marriage license, \$2.00.

Fees paid
in advance.

SEC. 11. 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 are paid.

SEC. 12. The fees of the clerk of said court, herein prescribed, shall be in full for all services rendered by him.

Detailed
statement
of clerk.

SEC. 13. On the first Tuesday after the first Monday of each month, the clerk of said court shall file with the county auditor a detailed statement showing all fees and moneys received by him for the preceding month, and from whom, and for what purpose received; and said clerk shall, upon said date, pay over to the county treasurer all fees and moneys received by him for the preceding month, and shall take duplicate receipts therefor from said treasurer, one of which shall be filed in the office of the county auditor and the other of which shall be filed in the office of said clerk. Said statement above

required to be filed shall be verified by the oath of said clerk to the effect that the same is in all respects just and true.

Verified
by oath.

SEC. 14. The county auditor shall not deliver to said clerk the warrant for his monthly salary until said statement and duplicate receipt required herein shall have been filed with said auditor.

SEC. 15. Any falsification of the statement herein required to be made by said clerk and filed with said auditor shall be ground for his removal by the governor.

Ground
for removal
from office.

SEC. 16. In determining, at any time, to what counties this act shall apply, reference shall be had to the U. S. or state census last taken.

SEC. 17. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 18. This act shall not affect 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 since March 25, 1903, shall be in accordance with the provisions of this act.

SEC. 19. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 334.

S. F. No. 205.

An act to amend section seventy (70) of chapter forty-six (46) of the General Laws of eighteen hundred and eighty-nine (1889), as amended by section six (6) of chapter one hundred and sixteen (116) of the General Laws of eighteen hundred and ninety-three (1893), and as amended by chapter one hundred and forty-nine of the General Laws of 1899, and by chapter one hundred and seventy-four of the General Laws of 1899, relating to the administration and distribution of estates of intestates.

Distribution
of estates
of intestates.

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

SECTION 1. That section seventy (70) of chapter forty-six (46) of the General Laws of eighteen hundred and eighty-nine (1889), as amended by section six (6) of chapter one hundred and sixteen (116) of the General Laws of eighteen hundred and ninety-three (1893),