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GENERAL STATUTES

OF THE

STATE OF MINNESOTA.

PREPARED BY THE COMMISSIONERS APPOINTED TO REVISE
THE STATUTES OF THE STATE, BY ACT OF THE
LEGISLATURE, PASSED FEBRUARY 17, 1863.

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5 by her in her own name, and payment to her by the per-
6 son for whom such labor was performed, or to or with whom
7 the amount of such wages was loaned or deposited shall be
8 a valid payment, and her sole receipt for the same shall have
9 the same effect as that of her husband or his legal representa-
10 tives.

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CHAPTER LXX.

FEEES.

1 SECTION 1. For the services mentioned in this chapter, C. S. p. 582, Sect. 1.
2 the fees hereinafter prescribed are allowed: Amended.

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FEEES OF CLERKS OF DISTRICT COURTS.

- 1 SECT. 2. For issuing and sealing every writ, summons,
- 2 subpoena or process, seventy-five cents.
- 3 Certified copy of such writ when required, ten cents per
- 4 folio and twenty-five cents for certificate.
- 5 Entering the return of every writ and filing such writ,
- 6 fifteen cents per folio.
- 7 Entering an appearance, retraxit, discontinuance, nonsuit
- 8 or default, twenty cents.
- 9 Entering every rule, order or motion in term, fifteen cents
- 10 for each folio.
- 11 Certified copies of rules or orders, ten cents for each folio,
- 12 and twenty-five cents for the certificate.
- 13 Every report upon an assesment of damages or other
- 14 matter referred to him, seventy-five cents, and fifteen
- 15 cents per folio for such report when it exceeds five folios.
- 16 Every certificate, twenty-five cents.
- 17 Calling and swearing grand jury, one dollar.
- 18 Calling and swearing petit jury in civil causes, seventy-
- 19 five cents.
- 20 Swearing jurors in criminal causes, ten cents for each
- 21 oath administered.
- 22 Swearing triers, ten cents for each oath administered.
- 23 Swearing each witness on trial, fifteen cents.
- 24 Swearing officer to take charge of jury, twenty cents.
- 25 Entering or taking a recognizance, seventy-five cents.
- 26 Entering a cause in a calendar for the court and making
- 27 a copy thereof for the bar, twenty cents.
- 28 Receiving and entering a verdict, thirty cents.
- 29 Entering an action without process, sixty-five cents.
- 30 Certified copy of the minutes of a trial when required,
- 31 seventy-five cents.

1863-p. 127, Sect. 1.

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- 32 Entering a final judgment when the same does not ex-
33 ceed three folios, fifty cents, and fifteen cents for each ad-
34 ditional folio.
- 35 Copy of judgment to be attached to judgment roll, fif-
36 teen cents for each folio.
- 37 Entering satisfaction of judgment, twenty cents for each
38 judgment debtor.
- 39 Drawing a special jury, seventy-five cents.
- 40 Filing every paper, ten cents.
- 41 Copies and exemplifications of records, and pleading, fif-
42 teen cents for each folio.
- 43 Searching the records or files in his office if a copy is not
44 required, twenty cents for the records or files of each year.
- 45 Administering oaths not otherwise provided for herein,
46 twenty-five cents.
- 47 Recording credentials of ordination of ministers and giv-
48 ing certificate, one dollar.
- 49 Recording certificate of solemnization of marriage, fifty
50 cents.
- 51 Filing and docketing transcripts of judgment from anoth-
52 er county, or from justices' court, when but one judgment
53 debtor, thirty cents, and twenty cents for each additional
54 judgment debtor.
- 55 Entering an appeal or transcript from justices court, six-
56 ty-five cents.
- 57 Entering a surrender of bail, thirty cents.
- 58 Issuing commission to take deposition, one dollar.
- 59 Issuing venire facias, one dollar.
- 60 Certificate of jurors and witnesses attendance at court,
61 fifteen cents.
- 62 Entering forfeiture of recognizance, thirty cents.
- 63 Entering discharge of bail, thirty cents.
- 64 Entering a declaration to become a citizen of the United
65 States, fifty cents.
- 66 A certified copy of such declaration under the seal of the
67 court, seventy-five cents.
- 68 Entering the final admission of an alien to the rights of
69 citizenship, fifty cents.
- 70 A certified copy thereof under the seal of the court, seven-
71 ty-five cents.
- 72 Making docket entries of judgments, twenty cents for
73 each judgment debtor.
- 74 Admission of attorneys, two dollars.
- 75 Taxing costs, fifty cents.
- 76 Certified copy of marriage record, fifty cents.
- 77 Certified transcript of docket entry, fifty cents.
- 78 Attendance on court for each day of actual session, three
79 dollars.
- 80 For all other services required by law to be performed by
81 such clerk respectively, such fees as compare favorably with

82 the rates herein prescribed, and as may be established by
83 general rule or order of the court.

FEES OF THE CLERK OF THE SUPREME COURT.

- 1 SECT. 3. For drawing a writ of error, or other process
- 2 issued under seal of the court, one dollar.
- 3 Affixing the seal to any process of the court, twenty-five C. S. p. 584, Sect. 3 e 6 3
- 4 cents.
- 5 Filing papers, ten cents for each paper.
- 6 Reading and filing any petition relating to any proceed-
- 7 ing in court, ten cents.
- 8 Entering the appearance or default of appellant, or plain-
- 9 tiff, or of defendant, or respondent, fifteen cents.
- 10 Entering every rule or order, fifteen cents for each folio.
- 11 A certified copy of every such rule or order, and of all
- 12 papers, pleadings, and proceedings filed with him, ten cents
- 13 for each folio.
- 14 Entering a decree or sentence, ten cents for each folio.
- 15 Entering a judgment or order, fifteen cents for every
- 16 judgment debtor; ten cents for each folio more than two.
- 17 Engrossing a remittitur to be sent to a district court, ten
- 18 cents for each folio.
- 19 Every certificate, twenty-five cents.
- 20 Taxing costs, fifty cents.
- 21 Entering satisfaction of record, fifteen cents.
- 22 Taking security, fifty cents.
- 23 Entering each cause in the calendar and making copy for
- 24 the bar, ten cents.
- 25 Searching records and files in his office, twenty cents for
- 26 the records or files of each year.
- 27 For services required by law, or the rules of the court
- 28 not herein provided for, such fees as the court direct.
- 29 Admission of attorneys, two dollars.

FEES OF COMMISSIONERS TO TAKE TESTIMONY.

- 1 SECT. 4. The person to whom any commission issues
- 2 to take testimony in any action, shall receive the same fees C. S. p. 584, Sect. 4.
- 3 as allowed to justices of the peace for the same services.

FEES OF JUDGES OF PROBATE.

- 1 SECT. 5. For granting letters of administration, when not
- 2 contested, three dollars.
- 3 When contested, five dollars. C. S. p. 584, Sect. 5.
- 4 Hearing any complaint, petition, or action, two dollars.
- 5 Hearing any application for the appointment of a guar-
- 6 dian, two dollars.
- 7 Appointing a guardian, one dollar.

- 8 And when one guardian is appointed for more than one
- 9 person at the same time, fifty cents for each person after the
- 10 first for whom such guardian is appointed.
- 11 Decree of probate of a will, when not contested, two
- 12 dollars.
- 13 When contested, five dollars.
- 14 Decree for settling an estate, two dollars.
- 15 Partition of real estate, two dollars and fifty cents.
- 16 Warrant to appraise and divide an estate, one dollar and
- 17 fifty cents.
- 18 Issuing a commission to examine and allow claims against
- 19 an estate, one dollar and fifty cents.
- 20 Ordering an allowance to widows, or children under sev-
- 21 en years of age, one dollar and fifty cents.
- 22 Approving securities of executors or others, one dollar.
- 23 Appointment of agent on partition of real estate, one dol-
- 24 lar and fifty cents.
- 25 Each order for sale of real estate to pay debts of an estate,
- 26 two dollars.
- 27 Each order for sale of personal estate, one dollar.
- 28 Order for publication of any notice, or any ordinary or-
- 29 der in proceeding before him, fifty cents.
- 30 Granting reference of accounts of executors or adminis-
- 31 trators, or allowing report thereon, one dollar.
- 32 Disallowing application for letters of administration or
- 33 probate of will to be paid by the party applying two dollars.
- 34 For a warrant to set off dower, one dollar.
- 35 Order for distribution, one dollar and fifty cents.
- 36 Extending time for settling an estate, fifty cents.
- 37 Examining and allowing claims against an estate, fifty
- 38 cents.
- 39 Ordering and drawing a quietus, one dollar.
- 40 Examining and allowing an inventory, fifteen cents for
- 41 each folio.
- 42 Administering an oath to an executor or other person,
- 43 and certifying the same when necessary, fifteen cents.
- 44 Examining and allowing accounts of executors, adminis-
- 45 trators, or other persons, for the first page, fifteen cents,
- 46 and for each additional page, five cents.
- 47 Each citation, summons, or other process, twenty-five
- 48 cents.
- 49 Approving and filing a bond given on an appeal, fifty-
- 50 cents.
- 51 Each order to divide an estate among heirs, or to set-off
- 52 dower, twenty-five cents.
- 53 Entering and filing a caveat, fifteen cents.
- 54 Entering the accounts of an executor, administrator, or
- 55 guardian, fifteen cents for each folio.
- 56 Entering each oath of an executor, or administrator, fif-
- 57 teen cents.

58 Searching the records or files in his office, for each year,
59 fifteen cents.

60 Recording wills and the proof thereof, letters of adminis-
61 tration, of guardianship, and every other matter required
62 to be recorded, for each folio, fifteen cents; and where any
63 will or other matter is in any other than the English lan-
64 guage, eighteen cents for each folio.

65 For a translation of any will from any other than the
66 English language, twenty-five cents for each folio.

67 Copies and exemplifications of the probate of a will, or of
68 letters testamentary, or of administration, or of any other
69 proceeding or order had or made before him, or of any oth-
70 er papers filed or recorded in his office, transmitted on ap-
71 peal, or furnished on request to any person, fifteen cents
72 for each folio.

73 The amount of fees taxed by judge of probate, in his own
74 behalf in any case not contested, shall in no case exceed
75 twenty-five dollars; unless the same is audited and certified
76 to be just by the judge of the district court of the county.

FEEES OF EXECUTORS AND ADMINISTRATORS.

1 SECT. 6. For actual services, and in lieu of all other
2 fees, one dollar per day, and their actual and necessary dis-
3 bursements for the benefit of the same; but the probate
4 court may allow executors and administrators, in cases of
5 unusual difficulty or responsibility, such further sum as the
6 judge deems reasonable.

C. S. p. 586, Sect. 6.
Amended.

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FEEES OF WITNESSES.

1 SECT. 7. For attending in any action or proceeding
2 pending in a court of record, one dollar for each day.

3 For attending in any justice's court, or before any officer,
4 person, or board authorized to take the examination of wit-
5 nesses, one dollar for each day.

C. S. p. 586, Sect. 7.
Amended.

6 For traveling, at the rate of six cents per mile, in going
7 to and returning from the place of attendance, to be esti-
8 mated from the residence of such witness, if within this
9 state, or from the boundary line of this state, which such
10 witness passed in coming, if his residence is out of the
11 state.

1 SECT. 8. No person is obliged to attend as a witness un-
2 less the fees are paid or tendered to him which are allowed
3 by law for one day's attendance as a witness, and for trav-
4 eling to and returning from the place where he is required
5 to attend.

C. S. p. 675, Sect. 3.

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1 SECT. 9. The judges of the district court may, in their dis-

) strike out

New section
inserted

2 cretion, allow fees to witnesses attending in criminal pro-
 3 ceedings either on behalf of the state or the defendant,
 4 which shall not exceed the fees allowed by law in civil ac-
 5 tions. Such allowances shall be certified by the clerk of
 6 the court, and paid in the same manner that jurors are
 7 paid.

SHERIFFS.

1 SECT. 10. For serving a summons or any process issued
 2 by a court of law, one dollar for each defendant served.
 3 Traveling in making any service upon any writ or sum-
 4 mons, fifteen cents per mile for going and returning, to be
 5 computed from the place where the court is usually held.
 6 Taking and approving a bond, seventy-five cents.
 7 A certified copy of such bond when requested, ten cents
 8 per folio.
 9 Copy of every summons or other paper served by the
 10 sheriff, when such copy is made by him, ten cents per folio.
 11 Collections on executions levied upon real estate when
 12 the same is collected or settled after service at the rate of
 13 four per centum upon the first two hundred and fifty dol-
 14 lars, and two per centum upon the excess of said sum; and
 15 for collections upon executions levied upon personal pro-
 16 perty, six per centum upon the amount collected upon the
 17 execution, or upon the amount of said execution when set-
 18 tled.
 19 The fees herein allowed for the service of an execution
 20 and for advertising thereon, shall be collected by virtue of
 21 such execution, in the same manner, as the sum therein di-
 22 rected to be levied; but when there are several executions
 23 against the defendant at the time of advertising his proper-
 24 ty, in the hands of the same sheriff, there shall be but one
 25 advertising fee charged on the whole, and the sheriff shall
 26 elect on which execution he will receive the same.
 27 Advertising sale, one dollar, and the reasonable fees paid
 28 to any printer by such sheriff for publishing an advertise-
 29 ment of sale.
 30 Posting four notices of sale, one dollar and fifty cents.
 31 Every certificate on the sale of real estate, two dollars,
 32 and one dollar for each copy, which, together with the re-
 33 gister's fees for filing the same shall be collected as other
 34 fees on execution, but no sheriff shall charge for more than
 35 one certificate issued upon the same sale to the same pur-
 36 chaser, unless he requires it, in which case he shall pay to
 37 said sheriff one dollar for each additional certificate.
 38 Serving a writ of restitution or possession and putting any
 39 person entitled into the possession of premises and remov-
 40 ing the occupants, five dollars.
 41 Summoning a jury upon a writ of inquiry, attending such

1863—p. 78, ch. 35,
 Sect. 1. Amended.

1865—p. 130, Sect. 1.
 Amended.

42 jury, and making and returning the inquisition, one dollar
43 and fifty-cents.

44 Summoning a special jury, struck pursuant to an order of
45 the court, and returning the panel, fifty cents for each juror
46 and mileage.

47 Summoning a jury pursuant to any precept or summons
48 of any officer in special proceedings, two dollars, and at-
49 tending such jury when required, one dollar.

50 Bringing up a person on a habeas corpus to testify or an-
51 swer in any court, or with the cause of his arrest and deten-
52 tion, or for the purpose of having him surrendered in ex-
53 oneration of his bail, or attending to receive a prisoner so
54 surrendered who was not committed at the time and receiv-
55 ing such prisoner into his custody, or for committing a
56 prisoner to jail, or for bringing any prisoner before any
57 court for examination in either case, one dollar; and for
58 traveling, the same mileage as upon service of writs and for
59 attending before any officer or court in any such case, two
60 dollars per day.

61 Attending court, three dollars per day.

62 Boarding prisoners, four dollars per week.

63 Serving attachment upon any ship; boat or vessel, in
64 proceeding to enforce any lien thereon created by law, three
65 dollars, and such additional compensation for his trouble
66 and expense in taking possession of and preserving the same
67 as the officer issuing the warrant shall certify to be reason-
68 able.

69 Selling any ship, boat, vessel, or the tackle, apparel and
70 furniture thereof so attached, and for advertising the same,
71 the same fees as are allowed on executions levied upon real
72 estate.

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

77 Summoning grand or petit jurors, fifty cents for each ju-
78 ror summoned, and mileage, as in service of a summons.

79 Serving subpoena, fifty cents for each witness summoned
80 and mileage as in service of a summons, but when two or
81 more witnesses live in the same direction, mileage shall be
82 charged only from the furthest.

83 Selling lands on foreclosure of mortgage by advertise-
84 ment and executing certificate and deed to purchaser, and
85 for all services required on such sale, five dollars.

86 Selling lands on decree by foreclosure and executing a
87 deed, and for all services required in making such sale,
88 when the amount for which the property sold is one thou-
89 sand dollars or less, the sum of ten dollars; and when the
90 amount exceeds one thousand dollars, the sum of fifteen
91 dollars.

- 92 Postponing a sale, one dollar, to be paid by the party
 93 requesting the same.
- 94 Making and drafting an inventory of property levied
 95 upon, replevied or attached, fifty cents for each folio,
 96 and for each copy of such inventory, ten cents per folio.
- 97 For diligent search and enquiry and returning summons
 98 when parties cannot be found, one dollar, and returning
 99 execution when no property found, one dollar.
- 100 Receiving and paying over the money paid on redemp-
 101 tion of property, and executing certificate therefor, one
 102 per cent, on the amount so received and paid, to be col-
 103 lected from the person redeeming such property.
- 104 For the necessary expenses which may be incurred to
 105 secure and safely keep all property taken by the sheriff by
 106 virtue of a warrant of attachment, execution or writ of re-
 107 plevin, such sum as may be allowed by the court.
- 108 For all United States revenue stamps now or hereafter
 109 required by law, to be used upon any certificate, deed, or
 110 other instrument, the costs of such stamps so used, and
 111 also such sum as may be required to be paid to the United
 112 States government as a tax on any sale made by him.
- 114 For any services not herein enumerated, which a sheriff
 115 may be required to perform, he shall receive the fees
 116 herein allowed for similar services.

FEES OF CORONERS.

- c63
 c. s. p. 538, Sect. 9. 1 SECT. 11. For all services rendered by them, the same
 2 fees as are herein allowed for similar services.

FEES OF CONSTABLES.

- 1 SECT. 12. Constables shall receive the following fees :
 2 For serving a warrant or other writ, not herein provided
 3 for, on each person named therein, twenty-five cents.
- c. s. p. 538, Sect. 10.
 Amended. 4 For a copy of every summons delivered on request, or
 5 left at the place of residence of defendant, fifteen cents.
- 6 Serving a subpoena or summons, on each party or name
 7 therein, fifteen cents.
- 8 Serving an attachment, fifty cents.
- 9 Each copy of an attachment, fifteen cents.
- 10 Each copy of inventory of property seized on attachment,
 11 fifteen cents.
- 12 Serving summons on garnishee, fifty cents.
- 13 Copy of any affidavit or other paper not otherwise enu-
 14 merated, per folio, ten cents.
- 15 Posting each notice, fifteen cents.
- 16 Attending on justices court when required by the justice,
 17 one dollar per day.
- 18 Serving any process or paper authorized to be served by

- 19 them, for travel, ten cents per mile, both going to and re-
 20 turning from the place of service.
 21 Committing to prison, fifty cents.
 22 Summoning a jury, one dollar.
 23 Writing a list of jurors, fifteen cents.
 24 Attending on a jury, fifty cents.
 25 On all sums made on execution and paid over, charged
 26 upon the defendant, five per cent.
 27 Serving every writ of replevin, fifty cents.
 28 Summoning and swearing appraisers, and taking appraise-
 29 ment, fifty cents.
 30 Taking and approving security in any case, twenty-five
 31 cents.

- 1 SECT. 13. When the services mentioned in the last sec- c. s. p. 589, Sect. 11. c63
 2 tion are performed by any other person, the same fees shall
 3 be allowed that constables are entitled to receive.

FEES OF NOTARIES PUBLIC.

- 1 SECT. 14. For drawing and copy of protest of the non-
 2 payment of a promissory note, or bill of exchange, or of the c. s. p. 589, Sect. 12.
 3 non-acceptance of such bill, one dollar, in the cases where Amended.
 4 by law, such protest is necessary.
 5 For drawing, and a copy of every other protest, fifty
 6 cents.
 7 For drawing, copy, and serving every notice of non-pay-
 8 ment of note or non-acceptance of a bill, fifty cents.
 9 Drawing any affidavit or other paper or proceeding, for
 10 which provision is not herein made, twenty cents for each
 11 folio, and copying the same, six cents for each folio.
 12 For each oath, administered, twenty-five cents.
 13 Taking the acknowledgment of deeds, and for other servi-
 14 ces authorized by law, the same fees as are allowed to other
 15 officers for similar services.
 16 Recording each instrument required by law to be record-
 17 ed by him, ten cents per folio.

FEES OF JUSTICES OF THE PEACE.

- 1 SECT. 15. Justices of the peace shall receive the follow-
 2 ing fees, and may tax the same in all cases where appli-
 3 cable : c. s. p. 589, Sect. 13.
 4 For a summons, warrant, or subpoena, twenty-five cents. Amended.
 5 For a venire for a jury, twenty-five cents.
 6 For a warrant in a criminal case, twenty-five cents.
 7 Taking a recognizance of bail, twenty-five cents.
 8 Administering an oath, fifteen cents.
 9 Certifying the same when administered out of court,
 10 fifteen cents.

- 11 For a writ of attachment, twenty-five cents.
- 12 Entering a judgment, twenty-five cents.
- 13 Every adjournment fifteen cents.
- 14 Every bond, recognizance, or security directed by law to
15 be taken and approved by the justice, twenty-five cents.
- 16 Swearing a jury, twenty-five cents.
- 17 Taking an examination, deposition, or confession, per
18 folio, fifteen cents.
- 19 For copy of proceedings, or of any paper or examination,
20 in any case when demanded, per folio fifteen cents.
- 21 Entering a satisfaction of judgment, twenty-five cents.
- 22 Issuing commission to take testimony, fifty cents.
- 23 Entering any order and exceptions thereto, fifty cents.
- 24 Entering amicable suit without process, twenty-five
25 cents.
- 26 For a transcript of judgment, twenty-five cents.
- 27 Opening a judgment for rehearing, twenty-five cents.
- 28 Filing every paper required to be filed, five cents.
- 29 Issuing notice to take deposition, twenty-five cents.
- 30 Taking recognizance, certifying oath, or affidavit, and
31 making return to an appeal, including travel, two dollars.
- 32 For a search warrant, twenty-five cents.
- 33 For every affidavit, or other paper drawn by the justice,
34 for which no other allowance is made by law, per folio, fif-
35 teen cents.
- 36 For a commitment to jail, twenty-five cents.
- 37 For an order to bring up prisoner, twenty-five cents.
- 38 For an order to discharge prisoner, issued to jailor; twen-
39 ty-five cents.
- 40 Discharging a prisoner after a hearing, on motion to dis-
41 charge, fifteen cents.
- 42 For an execution, twenty-five cents.
- 43 For every other writ not herein enumerated, twenty-five
44 cents.
- 45 Taxing costs, fifteen cents.
- 46 For marrying and making return thereof, one dollar and
47 fifty cents, and such other sum as may be allowed by the
48 party making the application.
- 49 Holding an inquisition, in cases of forcible entry and de-
50 tainer, in addition to other fees, one dollar.
- 51 Taking and certifying the acknowledgment of a deed, for
52 each grantor named therein, twenty-five cents.
- 53 For traveling to perform any duty, when not otherwise
54 provided for, and such travel is necessary, going and re-
55 turning, per mile, ten cents.

PROVISIONS IN RELATION TO FEES IN JUSTICES' COURT.

c63

G. S. p. 520, Sect. 14.

- 1 SECT. 16. In all civil actions, unless otherwise provid-
- 2 ed, the party in whose favor judgment is given, shall re-
- 3 cover costs.

1 SECT. 17. At the time of entering a judgment for costs, C. S. p. 590, Sect. 15. c63
 2 in any case, the justice may proceed to tax the costs, and
 3 no notice of such taxing need be given to the party against
 4 whom judgment is rendered.

1 SECT. 18. The justice shall allow no fees for the travel C. S. p. 590, Sect. 16.
 2 of witnesses unless the same is proved by the oath of some
 3 person qualified to testify in the action.

1 SECT. 19. No fees shall be allowed for travel in serv- C. S. p. 590, Sect. 17.
 2 ing a subpoena, unless the same is charged by a constable,
 3 or sheriff, or is proved by the oath of the person who served
 4 the same.

1 SECT. 20. The attendance of only two witnesses to C. S. p. 590, Sect. 18.
 2 each particular fact before a justice of the peace, shall be
 3 taxed in the bill of cost.

1 SECT. 21. No fees for copies, or exemplifications of C. S. p. 590, Sect. 19.
 2 documents or papers, or for depositions, shall be allowed,
 3 unless such copies of depositions were used upon the trial.

1 SECT. 22. No allowance for disbursements, except to C. S. p. 590, Sect. 20.
 2 officers, shall be allowed, unless the items are particularly
 3 specified, and proved to the justice, and the same were, in
 4 the opinion of the justice, necessary and reasonable in
 5 amount.

1 SECT. 23. The justice shall hear any evidence which C. S. p. 590, Sect. 21.
 2 may be offered to him, to prove that any charge is unrea-
 3 sonable, or that the service has not been rendered.

FEES OF REGISTERS OF DEEDS.

1 SECT. 24. For entering or recording any deed or other C. S. p. 591, Sect. 24.
 2 instrument, twelve and a half cents for each folio, to be paid
 3 when the same is left for record.

4 For every certificate, twenty-five cents.

5 For copies of any records or papers, when required, seven
 6 cents for each folio.

7 For recording any deed or other paper, in any other than
 8 the English language, twenty cents for each folio.

9 Every entry of a discharge of mortgage, in the margin of
 10 the record, ten cents.

11 Filing every other paper, and making an entry thereof,
 12 when necessary, six cents.

13 Searching for every such paper, on request, three cents
 14 for every paper examined.

15 Searching the record, ten cents.

FEES OF REFEREES.

c62 C. S. p. 578, Sect. 10.
Amended.

1 SECT. 25. The fees of referees are five dollars to each,
2 for every day spent in the business of the reference, but the
3 parties may agree in writing upon any other rate of com-
4 pensation, and thereupon such rate shall be allowed.

FEES OF APPRAISERS, COMMISSIONERS, AND OTHERS.

c63 C. S. p. 591, Sect. 25.
Amended.

1 SECT. 26. All appraisers of estates of deceased persons,
2 appraisers of property taken on writ of attachment or re-
3 plevin, persons appointed under a legal process, or order
4 for assigning dower, or making partition of real estate,
5 sheriff's aids in criminal cases, and all other private persons
6 performing any other like service required by law, or in the
7 execution of legal process, where no express provision is
8 made for compensation therefor, shall be entitled to one
9 dollar for each day, for their services, and five cents a mile
10 for travel in going and returning.

FEES OF JURORS.

C. S. p. 591, Sect. 26.
Amended.

1 SECT. 27. Each grand and petit juror, shall be entitled
2 one dollar and fifty cents for each day's attendance upon
3 any district court, and ten cents for each mile traveled in
4 going and returning by the most usual route, to be paid out
5 of the treasury of the county, by the treasurer thereof, on
6 the certificate of the clerk of the court.
7 Each juror sworn in any action in a justice's court, or be-
8 fore any sheriff, on any writ of inquiry, is entitled to one
9 dollar, to be paid in the first instance by the party requiring
10 such jury.
11 Each juror sworn before any coroner, on any inquest ta-
12 ken by him, is entitled to one dollar for each day's attend-
13 ance on such inquest: *Provided, however,* that all certifi-
14 cates issued by the clerk of the district court, for the servi-
15 ces of jurors, shall, before being paid by the treasurer of
16 the county, be presented to the board of county commis-
17 sioners of the county, and audited by them, and counter-
18 signed by the chairman of said board, and it is hereby made
19 the duty of the several county auditors to keep a record of
20 all certificates presented, which record shall show the time
21 of such presentation, the name of the party presenting the
22 same, and the amount thereof.

FEES OF PRINTER.

C. S. p. 592, Sect. 31.

1 SECT. 28. For publishing any other notice, or any or-
2 der, citation, summons, or any other proceeding or adver-
3 tisement, required by law to be published in any newspa-

4 per, not more than forty cents per folio, for the first inser-
 5 tion, and twenty-five cents per folio for each insertion after
 6 the first.

GENERAL PROVISIONS.

1 SECT. 29: Every officer whose fees are herein fixed, shall
 2 publish and set up in his office, fair tables of his fees, ac-
 3 cording to this chapter, in some conspicuous place, for the
 4 inspection of all persons who have business in such office,
 5 upon pain of forfeiting for each day the same shall not be
 6 put up through such officer's neglect, a sum not exceeding
 7 two dollars, which may be recovered by a civil action, in
 8 the name of any person, before any justice of the peace of
 9 the same county. C 63

1 SECT. 30. No judge, justice, sheriff, or other officer what-
 2 ever, or other person to whom any fees or compensation is
 3 allowed by law for any service, shall take or receive any
 4 other greater fee or reward for such service than is allowed
 5 by the laws of this state. C. S. p. 532, Sect. 33.

1 SECT. 31. No fee or compensation allowed by law shall
 2 be demanded or received by any officer or person, for any
 3 service unless such service was actually rendered by him,
 4 except in the case of prospective costs hereinafter specified. C. S. p. 533, Sect. 37. Amended.

1 SECT. 32. A violation of either of the last two sections
 2 is a misdemeanor; and the person guilty thereof shall be
 3 liable to the party aggrieved for treble the damages sustained
 4 by him. C. S. p. 533, Sect. 38.

1 SECT. 33. No fees shall be taxed for services as having
 2 been rendered by any clerk, sheriff, or other officer in the
 3 progress of a cause, unless such service was actually ren-
 4 dered, except when otherwise expressly provided. C. S. p. 533, Sect. 39.

1 SECT. 34. Prospective costs may be charged and taxed
 2 for filing orders, docketing judgment, and for one execu-
 3 tion. C. S. p. 533, Sect. 40.

1 SECT. 35. The legal fees paid for certified copies of the
 2 depositions of witnesses, filed in any clerk's office, and of
 3 any documents or papers recorded or filed in any public
 4 office, necessarily used on the trial of a cause, or on the as-
 5 sessment of damages, shall be allowed in the taxation of costs. C. S. p. 533, Sect. 43.

1 SECT. 36. No attorney, or counsel, in any cause, shall
 2 be allowed any fee for attending as a witness in such cause. C. S. p. 533, Sect. 44.

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C. S. p. 593, Sect. 45. 1 SECT. 37. Every officer, upon receiving any fees for
2 any official duty or service, shall, if required by the person
3 paying the same, make out in writing and deliver to such
4 person, a particular account of such fees, specifying for what
5 they respectively accrued, and shall receipt the same; and
6 if he refuses or neglects to do so, he shall be liable to the party
7 paying the same for three times the amount so paid.

C. S. p. 594, Sect. 47. 1 SECT. 38. When a fee is allowed to one officer, the
2 same fees shall be allowed to other officers for the perform-
3 ance of the same services, when such officers are by law au-
4 thorized to perform such services.

C. S. p. 594, Sect. 49. 1 SECT. 39. When any person shall attend a court of rec-
2 ord as a witness in behalf of the state of Minnesota, upon
3 the request of the public prosecutor, or upon a subpoena, or
4 by virtue of a recognizance for that purpose, and it appears
5 that such person has come from any other state or territory
6 of the United States, or from any foreign country, or that
7 such person is poor, the court may, by order, on its min-
8 utes, direct the county treasurer, of the county in which
9 the court shall be sitting, to pay to such witness such sum
10 of money as shall seem reasonable for his expenses.

C. S. p. 594, Sect. 49. Amended. 1 SECT. 40. When any prosecution, instituted in the name
2 of this state, for breaking any law thereof fails, or when
3 the defendant proves insolvent or escapes, or is unable to pay
4 the fees when convicted, the fees shall be paid out of the
5 county treasury, unless otherwise ordered by the court.

C. S. p. 594, Sect. 50. Amended. 1 SECT. 41. The attorney general, or county attorney in
2 each county, is authorized to issue subpoenas, and compel
3 the attendance of witnesses, on behalf of the state or county,
4 without paying or tendering fees in advance; and in crim-
5 inal cases the witnesses for the defendant shall also be com-
6 pelled to attend without payment for tender of fees in ad-
7 vance, and any witness failing or neglecting to attend, after
8 being served with a subpoena, may be proceeded against,
9 and shall be liable in the same manner as provided by law
10 in other cases where fees have been paid or tendered.

C. S. p. 594, Sect. 51. 1 SECT. 42. The clerk of any court, at which any witness
2 has attended on behalf of the state in a civil action, shall
3 give to such witness a certificate of travel and attendance,
4 which shall entitle him to receive the amount from the treas-
5 urer of the county where the action arises.