

prescribing the method of paying for such local improvement. The amount so ascertained, together with interest thereon at the rate of seven per cent per annum from the date on which interest would attach, had the assessment been valid from the beginning, shall be adjudged to be a lien upon the lot or tract affected by such action, and shall be collected in the same manner as other taxes of like nature are collected under the laws in force and at the time the judgment is entered.

§ 4. ACTION TO TEST VALIDITY. COMMENCED WHEN.] No person shall be heard to object to the validity of any assessment heretofore made for local improvements in any city of this state, unless the action or proceeding in which the validity of such assessment comes in question shall be commenced before the first day of January, 1904.

§ 5. EMERGENCY.] Whereas, an emergency exists in this, that a large amount of the taxes for local improvements are outstanding, and cannot be collected, by reason of irregularities in the proceedings relative to such assessments, therefore, this act shall take effect and be in force immediately upon its passage and approval.

Approved March 5, 1903.

CLERKS OF COURT.

CHAPTER 55.

[S. B. No. 231—Talcott.]

FEEs OF CLERKS OF DISTRICT COURTS.

AN ACT to Amend and Re-enact Chapter 92 of the Session Laws of 1901, Relating to the Fees of Clerks of the District Court.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That chapter 92 of the session laws of 1901 be amended and re-enacted so as to read as follows:

§ 5. FEES TO BE CHARGED.] Clerks of the district court shall charge and collect the following fees:

1. In actions for the recovery of money only, in which judgment is entered by default, for all services prior to execution, three dollars.
2. In all other actions in which judgment is entered by default, for services prior to execution, five dollars.
3. In special proceedings, for all services prior to appeal, five dollars.
4. In actions, in which an issue of fact is tried, for all services prior to execution, seven dollars.

5. In actions in which only a question of law is tried, the fees shall be the same as on default in like actions.
6. In addition to the foregoing fees, for all services growing out of a provisional remedy, there shall be charged and paid at the time the remedy is applied for, for the first paper in connection therewith filed, two dollars and fifty cents.
7. For issuing execution in any action, one dollar.
8. For filing execution on return, fifty cents.
9. For filing and indexing a mechanic's lien, one dollar.
10. For filing and indexing any other paper authorized to be filed in his office, but not connected with any civil action or proceeding, fifty cents.
11. For making certified abstracts of any judgment, or certified copy of any judgment, order or other paper, filed or recorded in his office, for the first four folios, fifty cents; for each additional folio, ten cents.
12. For entering satisfaction of any judgment or lien, fifty cents.
13. For taking declaration of intention to become a citizen of the United States and making a certified copy of the record thereof, one dollar.
14. For final naturalization papers, including copy of the record thereof, one dollar.
15. For each additional copy of either of such citizen's papers, fifty cents.
16. For approving bond of a notary public, fifty cents.
17. For entering and indexing commission of notary public, fifty cents.
18. For taking an acknowledgment or administering an oath, twenty-five cents.
19. For recording and indexing any paper, not filed in an action or proceeding, for the first four folios, fifty cents; for each additional folio, ten cents.
20. For a certificate of the official capacity of a notary public, or other officer, fifty cents.
21. For certifying an abstract of real property as to judgments and liens, for each person named in the abstract as to whom search is made, ten cents.
22. For receiving, keeping and paying out money in pursuance of law or an order of court, one per cent of the amount, which shall be paid by the person receiving such money.
23. For issuing commission to take depositions, one dollar.
24. For certifying the record on appeal to the supreme court, or to the district court of any other county and transmitting the same, five dollars.
25. For all services on remittitur from supreme court, two dollars
26. For taking depositions, per folio, ten cents.
27. For making certified transcripts of any judgment, one dollar.

28. For filing and docketing transcript of judgment from justices' court or from any other county, one dollar.

29. For filing and entering affidavit and other papers, for renewal of any judgment, two dollars.

Approved March 10, 1903.

COMMISSION MERCHANTS.

CHAPTER 56.

[H. B. No. 223—Movius.]

LICENSES OF COMMISSION MERCHANTS.

AN ACT to Amend Sections 1738, 1739, 1741 and 1743a, Relating to Licenses of Commission Merchants.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That section 1738 of the political code of the state of North Dakota be and it is hereby amended so as to read as follows:

§ 1738. MUST HAVE LICENSE.] It shall be unlawful for any commission merchant or other factor to receive any wheat, flax or other grain, or butter, cheese or other dairy or creamery product, in this state to be sold for other persons or to have any agent or correspondent in this state receiving or soliciting any consignment or deposit of grain or creamery or dairy product to be sold or forwarded for sale here or elsewhere, without being licensed and authorized so to do as hereinafter prescribed.

§ 2. AMENDMENT.] That section 1739 of the political code of the state of North Dakota be and it is amended to read as follows:

§ 1739. LICENSE. HOW TO OBTAIN. BOND REQUIRED.] To obtain such license, a statement must be filed in the office of the secretary of state giving the name of the person, firm or corporation making application therefor, and the place at which said person, firm or corporation has its headquarters or principal place of business and post office address. There must also be filed and deposited in the office of the secretary of state, subject to his approval, a good and sufficient bond in a penal sum not less than ten thousand dollars, nominally payable to the state of North Dakota, executed by the applicant and at least one surety having the qualification of a fidelity insurance company authorized to do business as such in this state and containing a condition to the effect that the person, firm or corporation named as principal therein shall well and truly pay and discharge any and all liability which said principal shall incur to con-