

# FEES.

## CHAPTER 92.

[H. B. 38.]

### FEES OF CLERKS OF DISTRICT COURTS.

AN ACT to Amend Section 5 of Chapter 64 of the Session Laws of 1899, Relating to Fees of the Clerks of the District Courts.

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

§ 1. AMENDMENT.] That section 5 of chapter 64 of the session laws of 1899, be amended 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 questions 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 abstract 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 be come 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.
- Approved March 12, 1901.

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## CHAPTER 93.

[H. B. 207.]

### FEES OF SECRETARY OF STATE.

AN ACT to Amend Section 95, of the Revised Codes of 1899, Relating to Fees of the Secretary of State.

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

§ 1. AMENDMENT.] That section 95, of the Revised Codes, be, and the same is, hereby amended to read as follows:

§ 95. FEES.] The secretary of state for services performed in his office, must charge and collect the following fees:

1. For a copy of any law, resolution, record or other document or paper on file in his office, twenty-five cents per folio.
2. For affixing his certificate and seal to any document, one dollar.

3. For affixing his signature and seal without a certificate, fifty cents.

4. For filing articles of incorporation for domestic corporations for profit, five dollars; other domestic corporations, two dollars.

5. For filing and recording articles of incorporation of foreign corporations intending to do business in this state, twenty dollars.

6. For filing and recording appointment of attorney, five dollars.

7. For issuing a certificate of corporate existence of domestic corporations, three dollars.

8. For recording official bonds, two dollars.

9. For each commission or other document, signed by the governor and attested by the secretary of state, except pardons and military commissions, three dollars.

10. For each patent of land issued by the governor, if for one hundred and sixty acres of land or less, one dollar, and for each additional one hundred and sixty acres of land or fraction thereof, one dollar.

11. For searching records and archives of the state, one dollar.

12. For filing and recording notice of removal of place of business, three dollars.

13. For filing certificate of increase or decrease of capital stock, three dollars.

14. For issuing certificate of increase or decrease of capital stock, three dollars.

15. For filing a certificate of continuance of existence of a corporation, three dollars.

16. For issuing such certificate, three dollars.

17. For recording miscellaneous records, papers or other documents, twenty-five cents per folio, and for filing any paper not otherwise provided for, one dollar. But no member of the legislative assembly, or state, or county officer, can be charged for any search relative to matters appertaining to the duties of his office; nor must he be charged any fee for a certified copy of any law or resolution passed by the legislative assembly relative to his official duties. All fees must be paid in advance, and when collected must be paid into the state treasury at the end of each month and placed to the credit of the salary fund.

§ 2. EMERGENCY.] Whereas, under the present law foreign corporations are inadequately taxed to allow them to do business in this state, this act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1901.

## CHAPTER 94.

[S. B. 227.]

## FEES OF STATE BANK EXAMINER.

AN ACT to Amend Section 325, of the Revised Codes of 1899, Relating to Examination of Banks by State Examiner, and the Fees Therefor, and His Report Thereon to the Governor.

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

§ 1. AMENDMENT.] That section 3254 of the Revised Codes of 1899, be amended to read as follows:

§ 3254. EXAMINATION OF BANKS. FEES. REPORT TO GOVERNOR.] The state examiner of North Dakota shall be ex-officio superintendent of banks; he shall, as often as shall be deemed necessary and proper, and at least once a year, duly examine every bank organized under this law, for which he shall charge the bank so examined a fee for each examination, and turn the same into the state treasury as follows: Banks of twenty thousand dollars capital or less, a fee of twenty dollars (\$20.00); banks of from twenty to thirty thousand dollars capital, a fee of twenty-five dollars (\$25.00); banks of from thirty to forty thousand dollars capital, a fee of thirty dollars (\$30.00); banks of from thirty to forty thousand dollars capital, a fee of thirty dollars (\$30.00); banks of from forty thousand dollars to fifty thousand dollars capital, a fee of thirty-five dollars (\$35.00); banks of from fifty to sixty thousand dollars capital, a fee of forty dollars (\$40.00); banks of from sixty thousand dollars to seventy thousand dollars capital, a fee of forty-five dollars (\$45.00); and all banks having over seventy thousand dollars capital, a fee of fifty dollars (\$50.00). He shall have power to make a thorough examination into the affairs of the association, and in so doing may examine any of the officers, agents or clerks thereof, on oath, and shall make a full and detailed report in writing of the condition of the association so-examined, to the governor of the state; a copy of such report shall be filed in the office of the state examiner, which shall be open to all persons doing business with such association. The state examiner or his deputies shall not be directly or indirectly interested in any association organized under this chapter, or the laws of any other state or the laws of the United States.

Approved March 13, 1901.

## CHAPTER 95.

[S. B. 150.]

## FEES OF STATE OFFICERS.

AN ACT to Amend Section 327 of the Revised Codes of 1899, Providing for the Record of Fees and Monthly Reports and Payment of Said Fees to the State Treasurer Monthly by Any State Officer or Deputy Authorized by Law to Receive Said Fees, and to Provide Penalties for the Violation of Said Section.

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

§ 1. AMENDMENT.] Section 327 of the Revised Codes of 1899, is hereby amended so as to read as follows:

§ 327. RECORDS. FEES.] Every state officer or deputy state officer, required by section 84 of the constitution of this state, or by any provision of the laws of this state to cover into the state treasury all fees and profits arising from such office, shall keep a record of all such fees or profits in a book kept for that purpose, which book shall be the property of the state. They shall report to the state treasurer monthly the amount of fees or profits received, verified by oath, and at the same time pay the amount of such fees or profits to the treasurer, taking duplicate receipts therefor, one of which shall be filed with the state auditor forthwith, and the auditor shall charge the treasurer with the amount thereof.

§ 2. REPEAL.] All acts and parts of acts in conflict with the provision of this act are hereby expressly repealed.

§ 3. PENALTY.] Any person violating the provisions of section 1 of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in the sum not less than fifty dollars, nor more than one hundred dollars, in the discretion of the court wherein he is convicted.

§ 4. EMERGENCY.] Whereas, there is now no adequate provision of law providing for the monthly payment of fees and profits of state officers and deputies to the state treasurer, now therefore an emergency exists and this act shall take effect and be in full force from and after its passage and approval.

Approved March 7, 1901.