

CHAPTER CXXX.

[H. B. No. 390.]

FEEES OF STATE AND COUNTY OFFICERS, WITNESSES AND JURORS.

AN ACT in relation to the fees of state and county officers, witnesses and jurors, and amending section 2086 of the Code of Washington of 1881.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 2086 of the Code of Washington of 1881 is hereby amended to read as follows: "Section 2086. The several officers hereinafter enumerated shall be entitled to collect the fees hereinafter provided for their official services, to wit:

CLERKS OF THE SUPREME AND SUPERIOR COURTS.

1. For filing declaration, petition, plea, demurrer, affidavit, exhibit or other paper required to be filed in any cause or procedure.....	\$0 10
2. Issuing capias, attachment, execution, certiorari, super-sedeas, habeas corpus, mandate, writ of error, and for any other original writ, and noting return of the same,.....	1 00
3. Issuing order of sale, per folio of 100 words.....	15
4. Entering appearance of either party, personally or by attorney, charged but once.....	25
5. For docketing appeals from justice of the peace.....	25
6. Docketing each cause, charged but once.....	25
7. Swearing witnesses, each.....	10
8. Indorsing on sheriff's deed "presented and entered in book of levies," and certifying the same.....	50
9. Entering sheriff's return in book of levies, per folio.....	15
10. Entering judgment, recognizance, special rule, continuance, discontinuance, retraxit, rule of reference, allowance of writ of habeas corpus, confession of judgment, default or consent, rule or plea, notice of appeal to supreme court, issue joined, motion, non-suit, report of referees, judgment upon any issue of law or fact, or on any report of referees, appeals from inferior courts, appeals to higher courts, per folio.....	10
11. Taking affidavit, without seal.....	25
12. Taking affidavit, with seal.....	50
13. [Stricken out in enrolled law.]	
14. Issuing subpoena, one or more names.....	50
15. Approving bond, including justification.....	50
16. For certificate and seal.....	50
17. Entering a declaration of intention to become a citizen of the United States, and for a certified copy of such entry under seal.....	1 50

18. Entering the final admission of an alien to citizenship and for a certified copy thereof under seal.....	\$3 00
19. Issuing letters of administration, letters testamentary or letters of guardianship, and recording the same.....	1 00
20. Issuing commission to take disposition [deposition].....	1 00
21. Entering probate of will, decree of settlement of estate, order of distribution, order appointing administrator, executor or guardian, and for entering any other order in probate proceedings, per folio.....	15
22. Issuing notice of petition for letters of administration, letters of guardianship, probate of will, notice of settlement of estate, or any other notice of hearing in probate proceedings.....	25
23. For making copies of any notice, per folio.....	15
24. Issuing warrants to appraise or divide an estate.....	50
25. Issuing citation or other original writ in probate matters not herein provided for.....	50
26. For filing each paper required to be filed in probate proceedings (unless otherwise provided for).....	10
27. For examining accounts, counting each two figures as one word, per folio.....	15
28. Entering any order in probate proceedings, per folio.....	15
29. [Stricken out in enrolled law.]	
30. Examining inventory of appraisement or return of sale, per folio.....	15

## FOR SHERIFF.

1. For service of each summons and complaint and return thereon, on each defendant, beside mileage.....	60
2. For levying each writ of attachment or writ of execution on real or personal property, beside mileage.....	60
3. For service of <i>capias ad satisfaciendum</i> upon the body of each defendant named in the writ.....	80
4. For each bail bond.....	50
5. Serving writ of possession without the aid of the county, besides mileage.....	1 50
6. Serving writ of possession with the aid of the county, besides mileage.....	2 00
7. Executing writ of inquiry and returning the same, besides mileage.....	1 00
8. For copy of any complaint, notice, writ or process necessary to complete service, per folio.....	10
9. For serving each subpoena, on each person served, besides mileage.....	25
10. For summoning each juror, besides mileage.....	25
11. For serving declaration in ejectment and return, besides mileage.....	80
12. For serving scire facias, for each defendant, besides mileage.....	80
13. For bringing up a person on a writ of habeas corpus, besides mileage.....	80

14. For making a deed of land sold on execution, decree or order of court, to be paid by grantee.....	\$3 00
15. Posting each notice, besides mileage.....	25
16. For each mile necessarily traveled in going to and returning from the place of service in any case.....	10
17. Percentage on all moneys actually made and paid to the sheriff on execution or order of sale, under one thousand dollars, two per centum.	
18. Percentage on all sums over one thousand dollars, one per centum.	

FOR CONSTABLES.

Constables shall be allowed the same fees that are paid to the sheriff for a similar service.

FOR COUNTY AUDITORS.

1. Filing each paper or instrument.....	10
2. Recording any paper or instrument, per folio.....	15
3. Indexing each paper or instrument, if more than two names, for each name over two.....	5
4. Making certified copies of any paper or record, besides certificate and seal, per folio.....	10
5. Certificate and seal.....	50
6. Administering an oath or taking affidavit, without seal....	25
7. Issuing miscellaneous license and entering on record.....	75
8. Issuing marriage license, including fee of one dollar for county clerk for recording.....	3 00
9. Recording plats, 5 cents per lot and one dollar for each acknowledgment, dedication or description, with a minimum fee of one dollar for each plat.	
10. Searching records, per hour.....	75

FOR JURORS.

1. Each grand and petit juror shall be allowed for each day's attendance on a court of record.....	3 00
2. Talesman serving as a petit juror, each trial, when he may be detained more than one day, per day.....	1 00
3. Every day's attendance upon a justice of the peace court,	2 00
4. Serving on inquest.....	2 00
5. Mileage each way, per mile.....	10

WITNESS.

1. Witnesses in all of the courts of the state shall receive, besides mileage at ten cents per mile each way, for each day's attendance.....	2 00
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FEEES OF SECRETARY OF STATE.

1. For a copy of any law, resolution, record or other document or paper on file in his office, fifteen cents per folio: *Provided*, No copy shall be furnished by the secretary of state unless under the seal of the state.
2. For any certificate under seal of state, two dollars.
3. For filing articles of incorporation, including issuance of certificate, five dollars.

- 4. For recording articles of incorporation, fifteen cents per folio.
- 5. For filing and recording trade mark, five dollars.
- 6. For each deed or 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, or fraction thereof, one dollar.

7. For recording miscellaneous records, papers or other documents, ten cents per folio, and five dollars for filing in each case. But no member of the legislature, state officer, judge of the supreme or superior courts, shall be charged for any search relative to matters pertaining to the duties of their offices; nor must they be charged for a certified copy of any law or resolution passed by the legislature relative to their official duties: *Provided*, Such law has not been published as a state law.

All fees herein enumerated must be collected in advance, and shall be paid into the treasury of the state to the credit of the general fund, on the last day of each and every month.

NOTARIES PUBLIC.

1. Protest of a bill of exchange of [or] promissory note.....	\$1 00
2. Attesting any instrument of writing, with seal.....	50
3. Taking acknowledgment, two persons, with seal.....	50
4. Taking acknowledgment, each person over two.....	15
5. Certifying affidavit, without seal.....	25
6. Certifying affidavit, with seal.....	50
7. Registering protest of bill of exchange or promissory note for non-acceptance or non-payment.....	50
8. Being present at demand, tender or deposit, and noting the same, besides mileage at the rate of ten cents per mile.....	50
9. Noting a bill of exchange or promissory note for non-acceptance or non-payment.....	50
10. For copying any instrument or record, besides certificate and seal, per folio.....	15

FOR CORONERS.

1. For each inquest he may hold, besides mileage.....	\$10 00
2. For drawing all necessary writings, per folio.....	15
3. Issuing venire.....	1 00
4. Mileage each way, per mile.....	10
5. When performing the duties of sheriff he shall receive the same fees to which the sheriff is entitled for the same service.	

All officers enumerated in this act who are paid a salary in lieu of fees shall collect the fees prescribed in this act for the use of the county or state, as the case may [be], and shall pay the same into the state or county treasury, as the case may be, on the first Monday in each month.

Fees of clerk of superior court.

SEC. 2. The fees of clerks of the superior courts specified in section 1 of this act shall not be applicable to civil

action and proceedings other than probate causes, but instead thereof the parties to such civil actions and proceedings shall pay to the clerk of the superior court of the proper county for the use of the county, the sundry clerk's fees hereinbelow prescribed, and it shall be the duty of such clerks to collect such fees, for the use of the county, at or prior to the times hereinbelow prescribed for the payment of the same, respectively; that is to say: The plaintiff or other party instituting any such action or proceeding shall pay when the cause is entered in the court, or when the first paper on his part is filed therein, a fee of four dollars (\$4.00).

The defendant or other adverse 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 the cause, or when the first paper on his or their part is filed therein, a fee of two dollars (\$2.00).

Where no issue of fact is joined in the cause and no judgment other than a dismissal or discontinuance without trial of an issue of fact is rendered, no further fee need be paid. Where, after an issue of fact has been joined, the cause is dismissed or discontinued without trial of such issue, the party causing such dismissal or discontinuance to be entered shall pay, at the time of the entry thereof, a further fee of one dollar (\$1.00).

Fee on dismissal.

If a judgment other than a dismissal or discontinuance is rendered, the party obtaining the same shall pay, at the time of the entry thereof, a further fee as follows:

1. Where the judgment is rendered without the taking of proof of any fact pleaded, (*a*) if no adverse party has appeared in the cause, two dollars (\$2.00); (*b*) or, if an adverse party has appeared [appeared], three dollars (\$3.00).

Judgment without taking proof.

2. Where the judgment is rendered upon proof taken, but without assessment of damages by a jury, and in a case other than for foreclosure of a lien or mortgage, or partition of real estate, (*a*) if no adverse party has appeared in the cause, three dollars (\$3.00); (*b*) or, if an adverse party has appeared, five dollars (\$5.00).

Judgment when proof is taken.

Assessment  
of damages.

3. Where the judgment is rendered upon an assessment of damages by a jury, no adverse party having appeared in the cause, five dollars (\$5.00).

Lien or  
mortgage.

4. Where judgment is rendered after appearance by an adverse party and a trial by jury, or by the court or a judge, referee or commissioners thereof, in a cause other than for foreclosure of a lien or mortgage, or partition of real estate, six dollars (\$6.00).

5. Where the judgment is rendered in an action for the foreclosure of a lien or mortgage or the petition [partition] of real estate, (a) if no adverse party has appeared in the cause, six dollars (\$6.00); (b) or, if an adverse party has appeared, eight dollars (\$8.00).

Fee on order of  
final record.

In addition to the fees prescribed in this section any party ordering a final record to be made in a cause, other than probate, affecting the title to real estate, or ordering any files or records in a cause to be transcribed and certified for the purposes of an appeal, or for any other purpose, shall pay clerk's fees for such recording or transcribing, when he orders the same done, at the rate of fifteen cents for each folio of the matter to be recorded or ten cents for each folio of the matter to be transcribed, beside twenty-five cents for any certificate required to any such transcript: *Provided*, That in the case of transcripts such party may himself furnish to the clerk a transcript of any matter that he may desire to have certified, and in such case the clerk's fee to be paid for comparing the transcript furnished with the original and certifying the same shall be one-half of the amount per folio above prescribed, beside the full fee above prescribed for the certificate. The fees prescribed in this section shall be in full for all services performed by the clerk of the superior courts in the progress of civil actions and proceedings other than probate causes, from the beginning thereof down to and including the entry, collection and satisfaction of final judgment therein, and including all proceedings in open court, and all entries, filings and recording therein except for the recording and transcribing for which special fees are prescribed in this section: *Provided*, That this section shall

apply only to actions and proceedings begun after this act shall take effect.

SEC. 3. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Approved March 15, 1893.

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## CHAPTER CXXXI.

[H. B. No. 417.]

### PROVIDING FOR ECONOMICAL MANAGEMENT OF COUNTY AFFAIRS.

AN ACT to provide for the economical management of county affairs.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. It shall be the duty of every board of county commissioners to reduce the expenditures of their respective counties to the lowest practicable sum consistent with law.

SEC. 2. No deputies or assistance of any kind shall be allowed to any officer or person receiving compensation from a county unless the same is necessary. No higher compensation shall be allowed for any deputy of, or assistance for, such officer or person than is necessary. No other expenditure for or connected with such officer or person, or his office or employment, or the performance of his official duties, or any of them, than shall be necessary. In case the payment of any fee or fees is required for the performance of any duty of such officer or person, the total amount allowed and expended by any board of county commissioners for, on account of, or connected with such person or officer, his office or employment, and the performance of the duties thereof, including the salary allowed by law to such officer or person, shall not exceed the amount of the legal fees collected on account of such office or employment and the performance of the duties thereof: *Provided, however,* That the provisions of this act

Unnecessary  
compensation  
forbidden.

Expenses.