

CHAPTER 151.

[H. B. No. 58.]

RELATIVE TO FEES OF STATE AND COUNTY OFFICERS, WITNESSES AND JURORS.

AN ACT in relation to the fees of State and County officers, witnesses and jurors, and repealing an act entitled "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," the same being approved March 15, 1893.

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

SECTION 1. The several officers herein named shall collect the fees herein prescribed for their official services:

Supreme Court.

CLERK OF THE SUPREME COURT.

- Upon filing his first paper or record and making an appearance in the supreme court the appellant shall pay to the clerk of said court a docket fee of\$ 5.00
- Upon making his appearance in the supreme court, the respondent in any appealed case, shall pay to the clerk a fee of 2.00
- The applicant or petitioner in any special proceeding in the supreme court, upon making his appearance, shall pay to the clerk thereof a fee of..... 3.00
- The respondent in a special proceeding, and each respondent appearing separately therein, at the time of his appearance, shall pay to the clerk a fee of 1.00
- The foregoing fees shall be all the fees connected with the appeal or special proceeding: *Provided*, That no fees shall be required to be advanced by the State, or any municipal corporation, or any public officer prosecuting or defending on behalf of such State or municipal corporation.
- For filing application, entering admission and issuing certificate to an attorney upon admission to practice 20.00
- For all services for which no fee is hereinbefore prescribed

the clerk of the supreme court shall receive the same fees as are prescribed for clerks of the superior courts for like services.

CLERKS OF THE SUPERIOR COURTS.

Superior
Courts.

The plaintiff, or other party instituting any civil action or proceeding, shall pay, when the case is entered in the court or when the first paper on his part is filed therein, a fee of	\$ 4.00
The defendant or other adverse party or any one or more of several defendants or other adverse parties, or intervenors, appearing separately from the others, shall pay when his or their appearance is entered in the case, or when his or their first appearance is filed therein, a fee of.....	2.00
When no issue of fact is joined in the case 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.....	1.00
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 proof of any fact pleaded—	
1. Where the judgment is rendered without the taking of proof of any fact pleaded—	
(a) If no adverse party has appeared in the case.	\$ 2.00
(b) Or if an adverse party has appeared.....	3.00
2. Where the judgment is rendered upon proof taken, but without the assessment of damages by a jury, and in a case other than the foreclosure of a lien or mortgage or partition of real estate—	
(a) If no adverse party has appeared in the case	3.00
(b) If an adverse party has appeared.....	5.00
3. Where the judgment is rendered upon an assessment of damages by a jury, no adverse party having appeared in the case	5.00

4. Where the judgment is rendered after an appearance by an adverse party, and a trial by jury, or by the court or a judge, referee or commissioner, in a cause other than the foreclosure of a lien or mortgage, or partition of real estate.....	6.00
5. Where the judgment is rendered in an action for the foreclosure of a lien or mortgage or partition of real estate—	
(a) If no adverse party has appeared in the case	6.00
(b) If an adverse party has appeared.....	8.00
6. For making a transcript on appeal to the supreme court, or for transcribing the records in any action for any other purpose, 10 cents per folio.	
7. For comparing a transcript on appeal, or transcript of the record in any action where the party has prepared it himself, 5 cents per folio.	
The appellant in appeals from judgments of a justice of the peace, shall at the time of docketing his appeal, pay a docket fee of	4.00
The adverse party in appeals from judgment of a justice of the peace at the time of his appearance in the superior court shall pay a fee of.....	2.00
Other fees shall be charged as are charged in actions originally begun in the superior court.	
For filing an abstract of a judgment entered in the supreme court or of any other superior court of the State or of any United States court held in this State, or a transcript of a judgment of a justice court a fee of.....	1.00
For taking an affidavit with or without seal.....	50
For certificate with or without seal.....	50
For entering a declaration to become a citizen of the United States	1.50
For entering the final admission of an alien to citizenship and for a certified copy thereof under seal	3.00
For filing all instruments required by law to be filed in his office, where no other fee is provided.....	.10
For filing and recording marriage certificates, the same to be collected as provided by law	1.00

For approving bond, including justification thereon, in other than civil actions and probate proceed- ings .....	.50
In probate proceedings the party instituting such proceedings shall pay, at the time of the filing of the first paper therein, a fee of.....	5.00
If the amount of the estate as shown by the ap- praisement thereof returned in the court, is less than the sum of one thousand dollars, no further fee need be paid. If the amount of the estate as shown by such appraisement is one thousand dol- lars or more and less than two thousand dollars, an additional fee shall be paid when the appraise- ment is filed of	2.50
If the amount of the estate as shown by such ap- praisement is two thousand dollars or more and less than three thousand dollars, there shall be paid at the time of filing appraisement an ad- ditional fee of.....	5.00
If the amount of the estate as shown by such ap- praisement is three thousand dollars or more and less than ten thousand dollars, there shall be paid at the time of filing appraisement an additional fee of.....	10.00
If the amount of the estate as shown by such ap- praisement is five thousand dollars or more and less than ten thousand dolars, there shall be paid at the time of filing the appraisement an addi- tional fee of	20.00
If the amount of the estate as shown by such ap- praisement is ten thousand dollars or more and less than twenty thousand dollars, there shall be paid at the time of the filing of the appraisement an additional fee of.....	75.00
If the amount of the estate as shown by such ap- praisement is twenty thousand dollars or more and less than fifty thousand dollars, there shall be paid at the time of filing the appraisement an ad- ditional fee of	75.00

If the amount of the estate, as shown by such appraisal, is fifty thousand dollars or more and less than one hundred thousand dollars, there shall be paid at the time of the filing of the appraisal an additional fee of..... 125.00

If the value of the estate exceeds one hundred thousand dollars as determined by such appraisal, there shall be paid at the time of filing such appraisal, in addition to the one hundred and twenty-five dollars just provided for, fifty dollars for each additional twenty thousand dollars valuation thereof above one hundred thousand dollars.

Should the clerk or prosecuting attorney believe that an estate has been appraised at too low a valuation, it shall be the duty of the prosecuting attorney to apply to the court for an ascertainment of the valuation of the estate and a taxation of fees to correspond thereto. Should the court find the valuation of the estate at the time of the appraisal was greater by ten per centum than the appraisal returned, the costs of the reappraisal shall be paid by the executor or administrator from the funds of the estate; otherwise no costs shall be taxed.

For filing any petition to contest a will admitted to probate, or to prove a will which has been rejected and for all other services in connection with such petition, subsequent to its filing and up to final settlement of the issues raised by such petition, to be paid at the time of filing such petition a fee of 25.00

SHERIFF'S FEES.

Sheriff.

For service of each summons and complaint, and return thereon, on each defendant, besides mileage .60
 For making a return of not found in the county upon a summons, besides mileage actually traveled .30
 For levying each writ of attachment or writ of execution upon real or personal property, besides mileage60
 For serving writ of possession or restitution without aid of the county, besides mileage 1.50

For serving writ of possession or restitution, with aid of the county, besides mileage.....	2.00
For service and return of subpoena, upon each person served, besides mileage.....	.25
For summoning each juror, in a justice of the peace court, besides mileage.....	.25
For serving an arrest warrant in a civil action or proceeding, besides mileage.....	.80
For serving or executing any other writ or process in a civil action or proceeding, besides mileage..	.60
For taking and approving any bond, in a civil action or proceeding, required by law to be taken or approved by him, except indemnity bonds.....	.50
For posting each notice, besides mileage.....	.25
For each mile actually and necessarily traveled by him in going to or returning from any place of service .....	.10
For making a deed to land sold upon execution or order of sale, or other decree of court, to be paid by the purchaser.....	3.00
For making copy of any complaint, notice, writ or process, necessary to complete service, per folio ten cents: <i>Provided</i> , That he shall not be required to make any certified copies for a fee of less than	1.00

CONSTABLE'S FEES.

Constables.

For serving an arrest warrant in a criminal action, or making an arrest in cases where an arrest may be lawfully made without a warrant, besides mileage	2.00
For other services he shall receive the same fees and mileage as is paid to a sheriff for like services.	

COUNTY AUDITORS.

County Auditors.

For filing each instrument, other than chattel mortgages and conditional sale contracts.....	.10
For filing each chattel mortgage and conditional sale contract and entering the same as required by law	.25
For indexing each instrument, except chattel mortgages and conditional sale contracts, for the first two names .....	.05

For each additional name .....	.05
For a marginal release of mortgage.....	.25
For release of chattle mortgage or conditional sale contract .....	.25
Making certified copy of instrument besides certificate and seal, per folio .....	.10
For comparing instrument prepared by another, besides certificate and seal, per folio .....	.05
For certificate and seal .....	.50
For recording each instrument, per folio.....	.15
For administering an oath or taking an affidavit, with or without seal.....	.50
For issuing miscellaneous license and entering of record	1.00
For issuing marriage licenses , including fee of \$1.00 for county clerk	5.00
For recording plats, 25 cents for each lot and one dollar for each acknowledgment, dedication or description, with a minimum fee of one dollar for each plat.	
For searching records, per hour	1.00
For filing, recording and indexing cattle brands and marks, for each mark and brand described.....	1.00
For filing, recording and indexing brands of loggers, for each brand described	1.00
For filing and recording statement and oath in regard to sires under section 3442 of Ballinger's Codes and Statutes of the State of Washington, the same fees per folio as are paid for other instruments.	
For each certificate issued under the provisions of section 3443 of said Ballinger's Codes and Statutes of the State of Washington, in regard to sires .....	.50
For sealing weights and measures, for each weight and measure sealed.....	.10

CORONERS.

Coroners.

For each inquest held, besides mileage	10.00
For issuing a venire	1.00
For drawing all necessary writings, per folio ....	.10

For mileage each way, per mile.10
 For performing the duties of a sheriff he shall receive the same fees as a sheriff would receive for the same service.

JURORS.

Jurors.

Each grand and petit juror shall receive for each day's attendance upon the superior court, besides mileage 3.00
 Each talesman serving in the superior court, per day 2.00
 For each day's attendance upon a justice of the peace court 1.00
 For serving on a coroner's jury, per day. 2.00
 Mileage, each way, per mile10

WITNESSES.

Witnesses.

Witnesses shall receive for each day's attendance in all courts of this State, besides mileage at ten cents per mile each way. 2.00

FEES OF SECRETARY OF STATE.

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 recording articles of incorporation, fifteen cents per folio.
4. For filing and recording trade mark, five dollars.
5. 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.
6. 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 Legisla-

ture 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.

Notaries Public.

NOTARIES PUBLIC.

- 1. Protest of a bill of exchange of (or) promissory note\$ 1.00
- 2. Attesting any instrument of writing with or without seal50
- 3. Taking acknowledgment, two persons, with seal .50
- 4. Taking acknowledgment, each person over two .25
- 5. Certifying affidavit, with or without seal.50
- 6. Registering protest of bill of exchange or promissory note for non-acceptance or non-payment.. .50
- 7. Being present at demand, tender or deposit, and noting the same, besides mileage at the rate of ten cents per mile50
- 8. Noting a bill of exchange or promissory note, for non-acceptance or non-payment..... .50
- 9. For copying any instrument or record, besides certificate and seal, per folio15

Salaried officers.

All officers enumerated in this section, who are paid a salary in lieu of fees, shall collect the fees herein prescribed for the use of the State or county, 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 of each month: *Provided*, The fees of the clerk of the superior court prescribed for probate proceedings shall not apply to probate proceedings begun prior to the taking effect of this act but such proceedings shall be governed by the schedule of fees now in force.

Repeal.

SEC. 2. An act of the Legislature of the State of Washington entitled "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," approved March 15, 1893, and all other acts and parts of acts in conflict herewith are hereby repealed.

Passed the House March 7, 1903.

Passed the Senate March 12, 1903.

Approved by the Governor March 16, 1903.