

CHAPTER 56.

[H. B. 195.]

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 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, same being approved March 15, 1893,' approved March 16, 1903."

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 COURT.

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 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 cents.

For certificate with or without seal, 50 cents.

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 cents.

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 proceedings, 50 cents.

In probate proceedings the party instituting such pro-

ceedings shall pay, at the time of the filing of the first paper therein, a fee of \$5.00.

Upon the filing of a petition for the sale of real estate, there shall be paid at the time of filing such petition a fee of \$3.00.

Upon the filing of a final account in the settlement of the decedent's estate, there shall be paid a fee of five dollars.

For issuing commission to take deposition, there shall be paid a fee of \$1.00.

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.

Sheriffs.

For service of each summons and complaint, and return thereon, on each defendant, besides mileage, 60 cents.

For making a return of not found in the county upon a summons, besides mileage actually traveled, 30 cents.

For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, 60 cents.

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 or subpoena, upon each person served, besides mileage, 25 cents.

For summoning each juror, in a justice of the peace court, besides mileage, 25 cents.

For serving an arrest warrant in a civil action or proceeding, besides mileage, 80 cents.

For serving or executing any other writ or process in a civil action or proceeding, besides mileage, 60 cents.

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 cents.

For posting each notice, besides mileage, 25 cents.

For each mile actually and necessarily traveled by him in going to or returning from any place of service, 10 cents.

For making a deed to lands 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, 10 cents:

Provided, that he shall not be required to make any certified copies for a fee of less than \$1.00.

Constable.

CONSTABLE'S FEES.

For serving any 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, when filed for recording, 10 cents.

For filing each instrument other than for recording (except chattel mortgages and conditional sale contracts), 25 cents.

For filing each chattel mortgage and conditional sale contract and entering same as required by law, 50 cents.

For indexing each instrument, except chattel mortgages and conditional sale contracts, for the first two names, 5 cents.

For each additional name, 5 cents.

For a marginal release of mortgage or lien, 25 cents.

For release of chattel mortgage or conditional sale contract, 25 cents.

Making certified copy of instrument besides certificate and seal, per folio, 10 cents.

For comparing instrument prepared by another, besides certificate and seal, per folio, 5 cents.

For certificate and seal, 50 cents.

For recording each instrument, per folio, 15 cents.

For administering an oath or taking an affidavit with or without seal, 50 cents.

For issuing miscellaneous license and entering of record, \$1.00.

For issuing marriage license, including fee of \$1.00 for county clerk, \$3.00.

For recording plats, 25 cents for each lot, except for cemetery plats, 10 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 cents.

For sealing weights and measures, for each weight and measure sealed, 10 cents.

CORONERS.

Coroners.

For each inquest held, besides mileage...\$10.00

For issuing a venire..... 1.00

For drawing all necessary writings, per folio10

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 mile..... .10

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.

Secretary
of State.

FEES 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, \$2.00.
3. For recording articles of incorporation, 15 cents per folio.
4. For filing and recording trade mark, \$5.00.
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 each case. But no member of the Legislature, State officer, Judge of the Supreme Court 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.

Notaries
public.

NOTARIES PUBLIC.

1. Protest of a bill of exchange or promissory note, \$1.00.
2. Attesting any instrument of writing with or without seal, 50 cents.
3. Taking acknowledgment, two persons, with seal, 50 cents.
4. Taking acknowledgment, each person over two, 25 cents.
5. Certifying affidavit, with or without seal, 50 cents.
6. Registering protest of bill of exchange or promissory note for nonacceptance or nonpayment, 50 cents.

7. Being present at demand, tender or deposit, and noting the same, besides mileage at the rate of ten cents per mile, 50 cents.

8. Noting a bill of exchange or promissory note, for nonacceptance or nonpayment, 50 cents.

9. For copying any instrument or record, besides certificate and seal per folio, 15 cents.

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. Salaried officers.

SEC. 2. An Act entitled "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,' approved March 16, 1903," and all other acts and parts of acts in conflict herewith are hereby repealed. Repeal.

Passed the House February 11th, 1907.

Passed the Senate February 19th, 1907.

Approved by the Governor March 2d, 1907.

CHAPTER 57.

[S. B. 97.]

SALARIES OF JUDGES OF THE SUPREME AND SUPERIOR COURTS.

AN ACT relating to the salaries of the judges of the supreme and superior courts.

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

SECTION 1. Each Judge of the Supreme Court shall receive an annual salary of six thousand dollars. Each judge of the superior court shall receive an annual salary of three thousand dollars: *Provided*, That in counties of the first class said salary may be increased by order of the Salaries.
Increase.