

CHAP. 204.—An Act To provide fees to be charged by clerks of the district courts of the United States

February 11, 1925.

[H. R. 5420.]

[Public No. 393.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fees hereinafter provided for, and no other, shall be charged and collected by clerks of the district courts of the United States for services performed by them or their assistants: *Provided,* That all laws or parts of laws inconsistent or repugnant to the provisions of this Act are hereby repealed; but nothing in this Act shall repeal or in any way enlarge or modify the provisions of the Act of July 20, 1892 (Twenty-seventh United States Statutes at Large, page 252), as amended by the Act of June 25, 1910, (Thirty-sixth United States Statutes at Large, page 866), and the Act of June 27, 1922 (Forty-second United States Statutes at Large, page 666): *Provided further,* That the United States shall not be required to pay any sum or fee herein provided for.

United States courts. Fees to be collected by clerks of district courts.

Provisos. Inconsistent laws repealed.

Acts not affected. Poor suitors, etc.

Vol. 27, p. 252.

Vol. 36, p. 866.

Vol. 42, p. 666.

Not required from United States.

Rates. Upon institution of suit, etc.

SEC. 2. Upon the institution of any suit or proceeding, whether by original process, removal, indictment, information or otherwise, there shall be paid by the party or parties so instituting such suit or proceeding, as fees of the clerk for all services to be performed by him in such case or proceeding, except as hereinafter provided, the sum of \$5.

Filing answers, etc.

SEC. 3. Upon the filing of any answer or paper joining issue, or the entering of an order for trial, there shall be charged and collected by the clerk, from the party or parties filing any such answer or paper, for services performed and to be performed by said clerk in said case or proceeding, the further sum of \$5: *Provided,* That after one fee, as hereinbefore provided in this section, has been paid by any defendant, cross-petitioner, intervenor, or party, other defendants, cross-petitioners, intervenors, or parties, separately appearing or filing any answer or paper in said suit or proceeding, shall pay a further fee of \$2, for each answer or paper so filed: *And provided further,* That in any criminal case, upon the entering of a plea of not guilty by any defendant, there shall be charged and taxed in the costs of said case, a fee of \$5 for each defendant entering such plea, but the clerk shall not be required to account for any such fee not collected by him.

Provisos. Other parties separately appearing.

Criminal cases entering plea of not guilty.

SEC. 4. Upon the entry of any judgment, decree, or final order of the court in any suit or proceeding there shall be charged and collected by the clerk, from the prevailing party or parties, as an additional fee for services performed and to be performed in said suit or proceeding, the further sum of \$5: *Provided, however,* That in any criminal case the clerk shall not be required to account for any such fee not collected by him.

Entry of judgment.

Proviso. Criminal cases.

SEC. 5. Upon the filing of any petition for appeal or writ of error to any Circuit Court of Appeals or the Supreme Court of the United States there shall be charged and collected by the clerk, from the party or parties prosecuting such appeal or writ of error, an additional fee in said suit or proceeding of \$5.

Petitions for appeal or writ of error.

SEC. 6. Upon the filing of any petition or application for a writ of habeas corpus, or appeal from a deportation order of a United States commissioner, there shall be charged and collected by the clerk, from the petitioner or applicant, as full payment for all services performed or to be performed by him in said proceeding, the sum of \$5: *Provided,* That if an appeal is prosecuted from the order of the district court in said proceeding, then and in that event the additional sum of \$5, as provided in section 4 of this Act, shall be charged and collected by the clerk.

Habeas corpus, or deportation order appeal.

Proviso. Additional if appeal prosecuted.

SEC. 7. For each additional trial or final hearing, upon a reversal by a Circuit Court of Appeals or the Supreme Court of the United

Additional trial upon reversal, disagreement of jury, etc.

<p><i>Provisos.</i> Criminal cases.</p> <p>Collection when services rendered, taxed as costs.</p> <p>Miscellaneous services.</p> <p>Issuing writ, etc., in cases not before the court.</p> <p>Filing, etc., paper, not in pending case.</p> <p>Administering oath, etc.</p> <p>Acknowledgments, etc.</p> <p>Depositions.</p> <p>Copy of record, etc.</p> <p>Searching bankruptcy records, etc.</p> <p>Money in custody of court.</p> <p>Recording surety bonds.</p> <p>Bankruptcy notices.</p> <p><i>Provisos.</i> All services included. Not included in any other fee.</p> <p>Transcript of record on appeal or writ of error.</p> <p>Comparing transcripts, etc., with originals.</p> <p>Final records.</p> <p><i>Proviso.</i> Taxed as costs if on order of court.</p>	<p>States, or following a disagreement by a jury or the granting of a new trial or rehearing by the court, there shall be charged and collected by the clerk, from the party or parties securing such reversal, new trial, or rehearing, or from the plaintiff or plaintiffs in the event of a disagreement, the further sum of \$5: <i>Provided, however,</i> That the clerk shall not be required to account for any such fee not collected by him in any criminal case: <i>Provided further,</i> That nothing herein contained shall prohibit the court from directing by rule or standing order, the collection at the time the services are rendered of the fees herein enumerated, from either party, but all such fees shall be taxed as costs in the respective cases.</p> <p>SEC. 8. That in addition to the fees for services rendered in cases, hereinbefore enumerated, the clerk shall charge and collect, for miscellaneous services performed by him, and his assistants, except when on behalf of the United States, the following fees:</p> <ol style="list-style-type: none"> 1. For issuing any writ or a subpoena for a witness, not in a case instituted or pending in the court from which it is issued, and filing and entering the return of the marshal thereon, 50 cents. 2. For filing and indexing any paper, not in a case or proceeding, 25 cents. 3. For administering an oath or affirmation, not in a case or proceeding pending in the court where the oath is administered, 10 cents. 4. For an acknowledgment, certificate, affidavit or counter-signature, with seal, 50 cents. 5. For taking and certifying depositions to file, 20 cents for each folio of one hundred words, and if taken stenographically, 15 cents per folio additional, for the stenographer. 6. For a copy of any record, entry, or other paper, and the comparison thereof, 15 cents for each folio of one hundred words. 7. For filing praecipe or requisition and searching the records of the court for judgments, decrees, or other instruments or suits pending, or bankruptcy proceedings, including the certifying of the results of such search, 60 cents for the first name and 25 cents for each additional name embraced in the certificate. 8. For receiving, keeping, and paying out money in pursuance of any statute or order of court, including cash bail or bonds or securities authorized by law to be deposited in lieu of other security, 1 per centum of the amount so received, kept and paid out, or of the face value of such bonds or securities. 9. For keeping a record of surety companies and bonds thereof, 15 cents for each folio of one hundred words. 10. For preparation and mailing notices in bankruptcy, 10 cents each for the first twenty notices and 5 cents for each additional notice: <i>Provided,</i> That this fee shall cover and include all services and expenses in connection therewith: <i>And provided further,</i> That such fee shall not be deemed to be included in any other fee for services in bankruptcy proceedings. 11. For making and comparing a transcript of record on appeal or writ of error when required or requested, 15 cents for each folio of one hundred words. 12. For comparing any transcript, copy of record, or other paper not made by the clerk with the original thereof, 5 cents for each folio of one hundred words. 13. For making a final record in any case at the request of either party or upon order of court in a particular case, 15 cents for each folio of one hundred words: <i>Provided, however,</i> That when any such final record is made upon order of court the fees therefor shall be taxed in the costs of the case.
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14. For admission of attorneys to practice, \$1 each; for certificate of admission to be furnished upon request, \$2 additional.

Admissions to practice.

15. For making any record not in a case and not provided for in this Act, 15 cents for each folio of one hundred words.

Records, e.t.c., not herein provided for.

SEC. 9. That this Act shall become and be in force and effect on and after July 1, 1925.

Effective July 1, 1925.

Approved, February 11, 1925.

CHAP. 205.—An Act To authorize the incorporated town of Juneau, Alaska, to issue bonds in any sum not exceeding \$60,000 for the purpose of improving the sewerage system of the town.

February 11, 1925.
[H. R. 5558.]
[Public, No. 394.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated town of Juneau, Alaska, is hereby authorized and empowered to issue bonds in any sum not exceeding \$60,000 for the purpose of improving the sewerage system of the town.

Juneau, Alaska.
May issue bonds for sewerage system.

SEC. 2. That before said bonds shall be issued a special election shall be ordered by the common council of the town of Juneau, at which election the question of whether such bonds shall be issued shall be submitted to the qualified electors of said town of Juneau whose names appear on the last assessment roll of said town for municipal taxation. Thirty days' notice of such election shall be given by publication thereof in a newspaper printed and published and of general circulation in said town before the day fixed for such election.

Special election to authorize.

SEC. 3. That the registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as near as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued only upon condition that 60 per centum of the votes cast at such election in said town shall be in favor of issuing said bonds.

Conduct of election.

SEC. 4. That the bonds above specified, when authorized to be issued as hereinbefore provided, shall bear interest at a rate to be fixed by the common council of Juneau, not to exceed 6 per centum per annum, payable semiannually, and shall not be sold for less than their par value, with accrued interest, and shall be in denominations not exceeding \$1,000 each, the principal to be due in twenty years from date thereof: *Provided, however,* That the common council of the said town of Juneau may reserve the right to pay off such bonds in their numerical order at the rate of \$10,000 thereof per annum from and after the expiration of four years from their date. Principal and interest shall be payable in lawful money of the United States of America at the office of the town treasurer or at such bank in the city of New York, in the State of New York, or such place as may be designated by the common council of the town of Juneau, the place of payment to be mentioned in the bonds: *And provided further,* That each and every bond shall have the written signature of the mayor and clerk of the said town of Juneau and also bear the seal of said town.

Interest rate, sale, etc.

Provisos.
Redemption.

Payment of principal and interest.

Signatures and seal required.

SEC. 5. That no part of the funds arising from the sale of said bonds shall be used for any purpose other than specified in this Act. Said bonds shall be sold only in such amounts as the common council shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the order and direction of said common council from time to time as the same may be required for said purpose.

Use of funds restricted.

Sale of bonds.

Approved, February 11, 1925.