

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 465
SENATE BILL 403

AN ACT FIXING THE FEES TO BE CHARGED BY THE CLERK OF THE
SUPERIOR COURT OF MACON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Clerk of the Superior Court of Macon County shall be entitled to receive fees in lieu of those allowed by G. S. 2-26 as follows:

Advertising and selling under mortgage in lieu of bond, \$3.50 for sales of real estate, and \$1.75 for sales of personal property.

Affidavits, including jurat and certificate, \$1.00.

Appeal from justice of the peace, or from any court inferior to the Superior Court, \$1.75.

Appeal from the clerk to the judge, \$1.75.

Appeal to the Supreme Court, including certificate and seal, \$1.75.

Attachment, order in, \$1.00.

Auditing annual account, 25¢, for each \$100.00 on receipts and disbursements through \$1,000.00. On all above \$1,000.00, 5¢ on each \$100.00 through \$11,000.00-then one tenth of 1% on all in excess of \$11,000.00, provided that no such fee shall exceed the sum of \$25.00.

Auditing final account, 50¢ on each \$100.00 on receipts and disbursements through \$1,000.00 and 10¢ per hundred on all above \$1,000.00, provided that no such fee shall exceed the sum of \$25.00.

Auditing and recording of final account of commissioners appointed to sell real estate, 25¢ on each \$100.00 on receipts and disbursements through \$1,000.00, and 5¢ per hundred on all above \$1,000.00.

Bill of costs, preparing same, \$1.00.

Bond on undertaking, including justification, \$1.25.

Cancelling notice of lis pendens, 50¢.

Capias, each defendant, \$1.75.

Capias, when the defendant is not arrested thereunder, shall be such sum as the Commissioners of Macon County may allow, not to exceed \$1.75.

Caveat to a will, entering and docketing same for trial, \$2.50.

Certificate (including certificate on indictment), except where it is a charge against the county, 50¢.

Commission, issuing, \$1.30.

Continuance, 50¢; in criminal cases, 50¢ for each defendant, and \$1.00 in civil cases.

Docketing ex parte proceedings, \$1.75.
Docketing indictments, 50¢.
Docketing liens, 50¢.
Docketing judgment, in criminal cases, \$1.00; in civil actions, \$1.00.
Docketing summons, \$1.00.
Execution and return thereon, including docketing, \$1.75; and certifying return to clerk of a county where judgment is docketed, 50¢.
Filing all papers, 50¢ for each case.
Filing and recording report of sales by commissioners and trustees, \$4.00.
Guardian, appointment of, including taking bond and justification, \$3.00.
Impaneling jury, 50¢.
Indexing judgment on cross-index book, 50¢, for the judgment, regardless of number of parties.
Indexing liens on lien book, 25¢.
Indexing lis pendens, 25¢, if required to be indexed.
Indictment, each defendant in the bill, \$1.75.
Injunction, order for, including taking bonds or undertaking and justification, \$1.75.
Judgment, final, in term time, civil action, each defendant, \$1.75.
Judgment, final, against each defendant, in criminal action, \$1.75.
Judgment, final, before the clerk, \$1.75.
Judgment by confession, without notice, all services, \$5.25.
Judgment in favor of widow for year's support, \$1.00, and for docketing same, 50¢.
Judgment nisi, entering against a defaulting witness or juror, on bail bond or recognizance, \$1.00.
Justification of securities, on any bond or undertaking, except as otherwise provided (each), \$1.00.
Letters of administration, including bond and justification of sureties, \$3.00.
Appointment of administrator, including bond and justification of sureties, \$3.00.
Motions, entry and record of, in civil action, \$1.00; in criminal action, each, 50¢.
Notices, 50¢, and for each name over one in same paper, 15¢ additional.
Notifying solicitors of removal of guardian, \$1.75.
Order enlarging time for pleading in special proceedings and civil actions, 50¢; and for all other interlocutory orders therein, 80¢.
Order of arrest, each defendant, \$1.75.
Order for the registration of a deed or other writing, which has been proved or acknowledged in another county, or before a judge, justice, notary, or other officer, except a chattel mortgage, 25¢.
Postage, actual amount necessarily expended.
Presentment, each person presented, 15¢.

Probate of a short form in lien bond, or lien bond and chattel mortgage combined, 25¢.

Probate of a deed or other writing, except as otherwise provided, proved by a witness, including the certificate, 50¢.

Probate of a deed or other writing, executed by a married woman, for her acknowledgment and private examination, with the certificate thereof, 50¢.

Probate of limited partnerships, \$1.00.

Probate of will in common form, and letters testamentary; \$4.00 for appointment of executors, 50¢ for each letter, \$1.00 for certified letter.

Qualifying justice of the peace, to be paid by the justice, \$1.00.

Qualifying members of the board of commissioners, to be paid by the commissioners, \$1.00.

Recognizance, each party where no bond is taken, 50¢.

Recording and copying papers, per copy sheet, 50¢.

Registering trained nurses, including certificate of registration, \$1.00.

Recording certificates of incorporation of corporations, \$5.25.

Resignation of guardian, relinquishment of right to administer, or to qualify as executor, receiving, filing and noting same, 50¢.

Seal of office, when necessary, 25¢.

Subpoena, each name, 25¢.

Summons, in civil actions or special proceedings, including all the names therein, \$1.75, and for every copy thereof, 50¢.

Transcript of judgment, \$1.25; with seal, \$1.75.

Transcript of any matter of record or paper on file, per copy sheet, 50¢.

Trial of any cause, or stating an account, as referee, pursuant to order of the judge, such allowance as the judge may make.

Warrant, \$1.75.

Any fee not covered by the provisions of this Section shall be the same as that prescribed by G. S. 2-26.

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 21st day of May, 1963.