

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 1124  
HOUSE BILL 1203

AN ACT FIXING FEES, COMMISSIONS, AND COSTS TO BE COLLECTED BY  
THE CLERK OF THE SUPERIOR COURT OF ASHE COUNTY, NORTH  
CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the fees and commissions to be charged by the Clerk of the Superior Court of Ashe County shall be those set out herein; provided, however, that if no fee or commission is provided in this Act for any item, then the fee or commission to be charged by the Clerk of the Superior Court of Ashe County therefor shall be that provided by the General Statutes of North Carolina.

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|---|--------|
| Acknowledgments .....   | \$ .50 |
| Adoption Proceedings  |        |
| Total Clerk's fee in and for the entire proceeding .....  | 10.00  |
| Affidavits, administering oaths, and making jurat .....   | .50    |
| Appeal from the Clerk to the Judge of the Superior Court .....  | 1.00   |
| Appeal from Justice of the Peace or from any inferior court to the<br>Superior Court .....  | 1.00   |
| Approval of bond, with or without seal .....  | 1.00   |
| Attachment, order .....   | .50    |
| Auditing and recording accounts of Executors, Trustees, and<br>Guardians, one half of 1% of the first \$1,000.00, one tenth of 1%<br>on any amount in excess of \$1,000.00, but not to exceed \$20.00<br>if there is no contest and not to exceed \$30.00 in any event. |        |
| Auditing and recording final accounts of Commissioner or other<br>fiduciary appointed by the Judge or Clerk to sell real estate, one<br>fourth of 1% on the first \$1,000.00, one twentieth of 1% on the<br>amount in excess of \$1,000.00, but not to exceed \$25.00.  |        |
| Bill of Costs   |        |
| Preparing .....   | 1.00   |
| Cancelling Lis Pendens .....  | .50    |
| Capias, each defendant .....  | 1.00   |
| Caveat to Will .....  | .50    |
| Certificates .....  | .50    |
| Change of Name  |        |

|   |       |
|---|-------|
| Entire proceeding, including certified copy of the judgment, with seal.....   | 10.00 |
| Commission on fines and penalties to be added to the Bill of Costs ...  | 3%    |
| Commission on moneys paid into the office of the Clerk by virtue of his office and not to include moneys paid into the office of the Clerk pursuant to money judgments rendered either by the Judge or the Clerk..... | 3%    |
| Commitment of mentally disordered person to State Hospital or private institution .....   | 3.00  |
| Competency Proceedings  |       |
| A. Proceeding to declare person incompetent   |       |
| Total Clerk's fee for entire proceeding.....  | 10.00 |
| B. Proceeding to declare person competent   |       |
| Total Clerk's fee for entire proceeding.....  | 10.00 |
| Confirmation of Sale .....  | 1.00  |
| Continuance   |       |
| Civil cases .....   | .60   |
| Criminal cases, for each defendant .....  | .30   |
| Deeds of Separation   |       |
| Taking acknowledgments, with special examination of wife, with or without seal.....   | 1.50  |
| Docketing Ex Parte Proceeding.....  | 1.00  |
| Execution,  |       |
| Issuing and docketing return .....  | 2.00  |
| Filing and indexing fiduciary's inventory .....   | 1.00  |
| Judgments   |       |
| Docketing .....   | .50   |
| Indexing.....   | .25   |
| Signing .....   | 1.00  |
| Transcript .....  | .75   |
| Transcripts with seal affixed .....   | 1.00  |
| Legitimation Proceedings  |       |
| Entire proceeding and a certified copy of order.....  | 10.00 |
| Letters of Administration, Testamentary, Guardianship.....  | 6.50  |
| Each additional copy .....  | .75   |
| Notary Public   |       |
| Qualifying, indexing, and notification to Governor.....   | 1.50  |
| Notice or Order   |       |
| Signing .....   | 1.00  |
| Order of Arrest, each defendant .....   | 1.00  |
| Order not otherwise provided for, whether signed by Judge or Clerk.   | .50   |
| Permit to purchase or receive weapon.....   | .50   |
| Probate of any instrument except will.....  | .50   |
| Recording   |       |

|   |       |
|---|-------|
| Per copy sheet (100 words).....   | .30   |
| Recording Certificates of Incorporation or Partnership .....            | 5.00  |
| Renunciation of right to qualify as Administrator, Executor or Guardian |       |
| Filing and noting same .....  | .50   |
| Subpoenas   |       |
| Each name .....   | .15   |
| Summons   |       |
| Issuing original .....  | 1.00  |
| Each additional copy .....  | .25   |
| Docketing .....   | 1.00  |
| Uncontested Divorces  |       |
| Entire Clerk's fee .....  | 15.00 |
| Widow's Year's Allowance  |       |
| Judgment .....  | 1.00  |
| Docketing .....   | .50   |
| Wills   |       |
| Probate, recording, and indexing, plus one certified copy thereof.....  | 5.00  |

Sec. 2. This Act shall apply only to Ashe County.

Sec. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 4. This Act shall be in full force and effect upon its ratification.

In the General Assembly read three times and ratified, this the 21st day of June, 1961.