

MR. RUSSELL, from the Committee on County and Township Organization, submitted the following report:

MR. SPEAKER:

Your Committee on County and Township Organization, to whom was referred house file No. 122, a bill for an act to repeal sections 3786, 3815 and 3816, chapters 2 and 3, title XXIII of the Code, relating to unclaimed fees in the hands of the clerks of the courts and justices of the peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that it do pass.

RUSSELL, *Chairman.*

Ordered passed on file.

HOUSE FILE NO. 122.]

[BY DUNGAN.

A BILL

FOR AN ACT TO REPEAL SECTIONS 3786, 3815 AND 3816 OF CHAPTERS 2 AND 3, TITLE XXIII OF THE CODE, RELATING TO UNCLAIMED FEES IN THE HANDS OF THE CLERKS OF THE COURTS AND JUSTICES OF THE PEACE.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That sections 3786
2 of chapter 2, title XXIII, and 3815 and 3816 of chapter 3, title XXIII of the Code, be and the
3 same are hereby repealed and the following enacted in lieu thereof.

4 Sec. 3786. The clerk of the circuit and district courts shall, on the first day of March,
5 June, September and December, in each year, pay into the county treasury, for the use of the
6 county, all money received by him for fees of every description remaining unclaimed in his
7 hands for twelve months after the receipt of the same, and at the time of so doing shall
8 deliver to the county auditor a duplicate of the treasurer's receipt for the amount so paid,
9 together with a written statement giving the title of the cause, style of the court in which
10 the matter was pending, the kind of fees, the names of the parties, and the amount to which
11 each one is entitled; and the parties entitled thereto shall receive the same from the county
12 treasury on application to the auditor, who shall immediately issue the proper warrant there-
13 for.

14 Sec. 3815. Any and all fees of every description which may be received by justices of
15 the peace, which shall not have been called for within one year after the date of the collec-
16 tion, shall be paid into the county treasury for the use of the county, accompanied by a state-
17 ment, filed with the county auditor, of the kind of fees, the names of the parties and the
18 amount to which each one is entitled; and the parties entitled thereto shall receive the same
19 from the county treasury on application to the auditor, who shall immediately issue the
20 proper warrant therefor; and any officer or person paying any sum of money into the county
21 treasury under the provisions of this section shall take duplicate receipts from the treasurer
22 therefor, one of which he shall file with the county auditor, who shall charge the amount
23 thereof to the treasurer as so much county revenue.

24 “Sec. 3816. Any failure to pay over to the county treasurer any fees as contemplated by
25 this title is a misdemeanor, and shall be punished as provided by law.