

the county is liable, except dieting prisoners and annual settlement with the county board of supervisors, accompanied by receipts of treasurer for moneys paid over shall be made on the first Monday in January of each year.

SEC. 2. Sheriffs in counties having a population of more than twenty-eight thousand, and less than forty-five thousand, according to the last State or National census shall pay into the county treasury all fees received by them and their deputies in excess of twenty-three hundred (\$2,300.00) dollars per annum; in counties having a population of more than forty-five thousand, all fees received by them and their deputies in excess of three thousand dollars (\$3,000.00) per annum. Provided, however, that each sheriff in such county shall furnish a statement under his oath to the board of supervisors of all expenses actually and necessarily paid by him while in performance of official duties in serving process in criminal cases, which amount shall be allowed and paid out of the county treasury. The fees retained by the sheriff under the provisions of this act shall be in full compensation for all services.

SEC. 3. Each sheriff shall be allowed a deputy whose salary shall be fixed by the board of supervisors of his county, not exceeding one thousand dollars per annum; and provided further, that such board of supervisors may allow more than one deputy at a salary not exceeding one thousand dollars per annum each, when they shall deem the same necessary.

SEC. 4. All acts or parts of acts in conflict or inconsistent with this act are hereby repealed.

SEC. 5. This act shall take effect and be in force on and after January 1, 1896.

Approved March 30, 1894:

## CHAPTER 76.

AN ACT to limit the compensation of county recorders, and to require the payment of all excess of fees into the county treasury, and to require quarterly reports to, and annual settlements with the county board of supervisors.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. All county recorders shall report quarterly under oath, on blanks to be furnished by the county auditor, to the county board of supervisors, all fees collected by them, and shall certify under oath that they have collected all fees for recording instruments of record as provided by law, and shall make annual settlement with the county board of supervisors, on the first Monday in January in each year, and shall pay into the county treasury all fees received by them in excess of fifteen hundred dollars (\$1,500.00) per annum.

SEC. 2. County recorder may employ such deputy service as the board of supervisors may deem necessary, and the compensation of such deputies shall be determined by said board,

Exceptions.  
Accompanied  
by receipts.

Sheriffs in  
counties  
between 28,000  
and 45,000 shall  
pay fees to  
county treasur-  
er in excess  
of \$2,300.

Counties of  
more than  
45,000 fees must  
be paid treasur-  
er in excess  
of \$3,000.  
Sheriff to furn-  
ish statement  
as to expenses.

In full for com-  
pensation for  
services.

Each sheriff  
allowed a  
deputy.  
Salary of dep-  
uty fixed by  
supervisors.

Not to exceed  
\$1,000 per  
annum.

Repealing  
clause.

Date of taking  
effect.

S. F. 173.

County re-  
corders to re-  
port quarterly  
all fees.

All fees receiv-  
ed in excess of  
\$1,500 per an-  
num to be paid  
county treasur-  
er.

but in no case shall the county pay for such deputy service more than is received from the fees of said office.

Conflicting acts repealed.

SEC 3. All acts or parts of acts in conflict or inconsistent with this act are hereby repealed.

In force after January, 1895.

SEC 4. This act shall take effect and be in force from and after January first, 1895.

Approved April 24th, 1894.

## CHAPTER 77.

H. F. 97. AN ACT to amend section three thousand seven hundred and eighty four (3784) of the code of one thousand eight hundred and seventy three (1873). [*Compensation of clerk of district court.*]

*Be it enacted by the General Assembly of the State of Iowa:*

Sec. 3784 Code amended.

SECTION 1. That section three thousand seven hundred and eighty-four (3784) of the code of 1873 is hereby amended by inserting therein after the words "employed" in the 19th line thereof, and before the words, "*provided however,*" the following:

Compensation of deputies.

Where court is held in other than the county seat.

"Except in counties where the district court is held at a place other than the county seat, in which case the deputy or clerk in charge of the office of the clerk at said place, other than the county seat, shall receive the sum of nine hundred dollars (\$900.00) per annum."

Publication clause.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State *Register*, a newspaper published at Des Moines, Iowa, and *Avoca Herald*, a newspaper published at Avoca, Iowa, without expense to the state.

Approved April 24th, 1894.

I hereby certify that the foregoing act was published in the Iowa State *Register* May 5, and in the *Avoca Herald* May 3, 1894.

W. M. McFARLAND, *Secretary of State.*

## CHAPTER 78.

H. F. 374. AN ACT authorizing courts to appoint attorneys for minor absent heirs, devisees, legatees or creditors in probate proceedings, and providing for their compensation.

*Be it enacted by the General Assembly of the State of Iowa:*

Attorney appointed to represent parties in interest where all parties must be notified.

SECTION 1. At or before the hearing of petitions and contests for the probate of wills, for letters testamentary or of administration; for sales of real estate, and confirmation thereof; settlements, partitions, and distribution of estates, setting apart homesteads, and all other proceedings where all the parties interested in the estate are required to be notified thereof, the court may in its discretion, appoint some competent attorney at law to represent in all such proceedings the devisees, legatees, heirs or creditors of the decedent who are minors and have no general guardian in the county, or who are non-residents of the State; and those interested who,