

1 SEC. 68. Section seven hundred two (702) of chapter three hun-
2 dred twenty-six (326), Acts 60th General Assembly is hereby repealed
3 and the following enacted in lieu thereof:

4 "Sec. 702. **Notice of application for discharge.** Unless notice is
5 waived in writing, no final report of a trustee of a trust pending in
6 court shall be approved, and no such trustee shall be discharged from
7 further duty or responsibility upon final settlement, until notice of his
8 application for discharge shall have been served upon all persons inter-
9 ested at such time and in such manner as the court may prescribe by
10 an order made either before or after the filing of the final report of the
11 trustee."

1 SEC. 69. Sections six hundred eighty-two point forty-eight
2 (682.48) to six hundred eighty-two point fifty-nine (682.59), inclu-
3 sive, Code 1962, are hereby repealed.

1 SEC. 70. Section two hundred forty-nine point nineteen (249.19),
2 Code 1962, is amended by striking from line eight (8) the word
3 "second" and inserting in lieu thereof the word "sixth".

1 SEC. 71. Section two hundred forty-nine A point thirteen
2 (249A.13), Code 1962, is hereby amended by striking from line
3 twenty-one (21) the word "second" and inserting in lieu thereof the
4 word "sixth".

1 SEC. 72. Section two hundred forty-nine A point fourteen
2 (249A.14), Code 1962, is hereby amended by striking from line seven
3 (7) the word "second" and inserting in lieu thereof the word "sixth".

1 SEC. 73. Section two hundred forty-nine point nineteen (249.19),
2 Code 1962, is hereby amended by striking from line eight (8) the word
3 "second" and inserting in lieu thereof the word "sixth".

Approved May 7, 1965.

CHAPTER 433

COSTS OF HABEAS CORPUS PROCEEDINGS

H. F. 354

AN ACT to pay out of state funds the costs and fees of habeas corpus proceedings on behalf of plaintiffs confined in state institutions where such proceedings are successful or where the plaintiff is not able to pay.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section six hundred sixty-three point forty-four (663.44), Code
2 1962, is hereby amended by adding thereto the following:

3 "However, where the plaintiff is an inmate of any state institution,
4 and is discharged in habeas corpus proceedings, or where the habeas
5 corpus proceedings fail and costs and fees cannot be collected from
6 the person liable to pay the same, such costs and fees shall be paid by
7 the county in which such state institution is located. The facts of such
8 payment and the proceedings on which it is based, with a statement of

9 the amount of fees or costs incurred, with approval in writing by the
 10 presiding judge appended to such statement or endorsed thereon, shall
 11 then be certified by the clerk of the district court under his seal of
 12 office to the state executive council. The executive council shall then
 13 review the proceedings and authorize reimbursement for all such fees
 14 and costs or such part thereof as the executive council shall find justi-
 15 fied, and shall notify the state comptroller to draw a warrant to such
 16 county treasurer on the state general fund for the amount authorized."

Approved May 10, 1965.

CHAPTER 434

SUPREME COURT OFFICES

S. F. 55

AN ACT to amend section twenty-seven (27) of chapter eighty (80), Acts of the 60th General Assembly relating to offices for the supreme court.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section twenty-seven (27) of chapter eighty (80),
 2 Acts of the 60th General Assembly, is amended by striking from line
 3 two (2) "January 1, 1968" and inserting in lieu thereof "January 1,
 4 1970".

Approved April 12, 1965.

CHAPTER 435

DEATH PENALTY ABOLISHED

H. F. 8

AN ACT to abolish the death penalty as a punishment for certain crimes and to substitute therefor imprisonment for life.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section six hundred ninety point two (690.2), Code
 2 1962, is hereby amended by striking all of such section after the word
 3 "punished" in line eight (8) and by inserting in lieu thereof the
 4 words "by imprisonment for life at hard labor in the penitentiary."

1 SEC. 2. Section six hundred ninety point five (690.5), Code 1962,
 2 is hereby amended as follows:

3 1. By striking from line five (5) of such section the words "death
 4 or".

1 SEC. 3. Section seven hundred six point three (706.3), Code 1962,
 2 is hereby amended as follows:

3 1. By striking from line nineteen (19) of such section the words
 4 "with death or" and by inserting in lieu thereof the word "by".