

CHAPTER 101.

AN ACT relating to the taxing of costs in criminal cases.

H. F. 212.

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

SECTION 1. That whenever any one shall cause to be commenced a criminal proceeding on a complaint or information before any magistrate charging another with the commission of a crime and shall fail to appear by himself, agent or attorney to prosecute or to give evidence at the preliminary examination or trial therein as the case may be and the defendant is discharged on account of such non-appearance of the prosecuting witness, his agent or attorney then said magistrate may in his discretion tax the costs of the proceeding against the prosecuting witness and render judgment therefor, but the person against whom such judgment is rendered may appeal in the same manner and with the same effect as is provided for a prosecuting witness in section four thousand six hundred and ninety-one of the code.

When criminal proceeding is commenced and prosecuting witness fails to appear, cost may be taxed against him.

Appeal.

Approved April 24, 1894.

CHAPTER 102.

AN ACT to prevent oppressive garnishment and the transferring of claims for the purpose of depriving debtors of their exemption rights.

H. F. 324.

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

SECTION 1. Whoever, whether principal, agent or attorney, intent thereby to deprive any bona fide resident of the State of Iowa of his or her rights, under the statutes of Iowa on the subject of the exemption of property from levy and sale on execution, or in attachment or garnishment, sends or causes to be sent out of the State of Iowa any claim for debt to be collected by proceedings in attachment, garnishment, or other menas process, when the creditor, debtor person, or corporation owing for the earnings intended to be reached by such proceedings in attachment are each and all within the jurisdiction of the Courts of the State of Iowa, shall, upon conviction thereof, be fined for each and every claim so sent in any sum not less than ten dollars nor more than fifty dollars.

Attempt to deprive residents of the state of certain rights in the matter of exemption.

Claims sent out of the state for collection.

Penalty. Fine of \$10 to \$50 for each claim sent away.

SEC. 2. Whoever, either directly or indirectly, assigns or transfers any claim for debt against a citizen of Iowa for the purpose of having the same collected by proceedings in attachment, garnishment, or other process, out of the wages or personal earnings of the debtor, in courts outside of the State of Iowa, when the creditor, debtor, person or corporation owing the money intended to be reached by the proceedings in attachment are each and all within the jurisdiction of the courts of the State of Iowa, shall, upon conviction thereof be fined in any sum not less than ten dollars nor more than fifty dollars for each offense.

Claims assigned or transferred.

Courts outside the state.

Penalty. Fine \$10 to \$50 for each claim assigned.

Where it appears defendant is a non-resident.

Allowed same exemption as his own state.

SEC. 3. And, whenever in any proceedings in any court of this State to subject the wages due to any person to garnishment, it shall appear that such person is a non-resident of the State of Iowa; that the wages earned by him were earned outside the State of Iowa, the said person, whose wages are so sought to be subjected to garnishment, shall be allowed the same exemption as is at the time allowed to him by law of the state in which he so resides.

Approved April 26, 1894.

CHAPTER 103.

H. F. 15. AN ACT to amend section 3275, chapter 2, title 20, of the Code of 1873. (Relating to costs in the matter of quieting title.)

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

Sec. 3275 Code amended.

Request for execution of quit-claim deed.

§1.25 tendered expense of execution and delivery, tendered defendant.

Cases where plaintiff is successful a reasonable attorney's fee taxed to defendants.

Amount of fee. Action not commenced until twenty days after tender.

Publication clause.

SECTION 1. That section 3275 of the Code be, and the same is hereby amended by adding thereto the following: *Provided, however,* that in all cases where the plaintiff, before commencing his action to quiet title, shall have requested from the defendant the execution of a quit claim deed, and shall have tendered to the defendant the sum of one dollar and twenty-five cents as the expense for the execution and delivery to him of such quit claim deed, then and in such cases, the filing of a disclaimer shall not avail such defendant to avoid the costs of such suit; and in all such cases, in which the plaintiff shall be successful, the court may in its discretion, tax as part of the costs to be paid by the defendant or defendants, as the case may be, a reasonable attorney fee for the use of the plaintiff, not to exceed the sum of twenty-five dollars for the first forty acres or tract or lot, and an additional sum not to exceed the sum of fifteen dollars for each additional forty acre tract or lot embraced in said action. *Provided, however,* that no action shall be commenced until twenty days after such tender.

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 and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved March 19, 1894.

I hereby certify that the foregoing act was published in the Iowa State Register March 27, and the Des Moines Leader March 21, 1894
W. M. McFARLAND, Secretary of State.