

CHAPTER 195.

LIEN AND LIABILITY OF HOTEL AND INN KEEPERS.

H. F. 158.

AN ACT to amend section three thousand one hundred thirty-eight (3138) of the supplement to the code, 1907, relating to the lien and liability of hotel and inn keepers.

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

SECTION 1. Lien upon baggage and other property. That section three thousand one hundred thirty-eight (3138) of the supplement to the code, 1907, be and the same is hereby amended by striking out of said section all the words and figures commencing with the word "hotel" in the sixteenth line thereof, to and including the word "thereon" in the twenty-fourth line thereof and inserting the following in lieu thereof: "Hotel, inn, rooming house or eating house keepers shall have a lien upon, and may take and retain possession of, all baggage and other property belonging to or under the control of their guests or patrons, which may be in such hotel, inn, rooming house or eating house, for the value of their accommodations and keep, and for all money paid for or advanced to, and for such extras and other things as shall be furnished, such guest or patron, and such property so retained shall not be exempt from attachment or execution to the amount of the reasonable charges of such hotel, inn, rooming house or eating house keeper, against such guest or patron, and the costs of enforcing the lien thereon."

Approved March 12, A. D. 1909.

CHAPTER 196.

GRANTING OF MARRIAGE LICENSE BY CLERK OF DISTRICT COURT.

H. F. 357.

AN ACT to amend section thirty-one hundred forty-one (3141) of the code relating to the granting of marriage license by the clerk of the district court.

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

SECTION 1. What prohibited. That section thirty-one hundred forty-one (3141) of the code be and the same is hereby amended by striking out the period at the end of said section and inserting in lieu thereof a comma, and adding the following: "nor where the parties are first cousins."

Approved April 1, A. D. 1909.

CHAPTER 197.

GUARDIANSHIP OF ESTATES OF ABSENTEES.

H. F. 12.

AN ACT providing for the guardianship of the estates of absentees. (Additional to chapter five (5), title sixteen (XVI) of the code.)

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

SECTION 1. Petition for guardianship—notice. When any adult person owning property within the state and whose whereabouts are and have been unknown for a period of three months, and whose property is liable to become injured, lost or damaged by reason of such absence, and when there is no other

provision of law, authorizing supervision and control over such property, any citizen of the county in which the property or any part thereof is situated, may file a petition under oath in the district court of said county, setting forth the facts of such disappearance; the place where and with whom he last resided; the kind and value of his property; the necessity for care and supervision over the same; and asking that a guardian be appointed to take charge of, preserve and control such property. Whereupon, the court or judge shall prescribe a notice to be given to such absentee and order the same to be published in a newspaper published in said county, to be designated by the court or judge once each week for four (4) successive weeks. Such notice shall also be served on the county attorney of the county and upon all the members of the family of the absentee residing within the county, for the length of time as is required for the service of original notices. Proof of the publication and service of such notice shall be filed with said cause.

SEC. 2. Hearing—county attorney to represent interests of absentee. If at the time stated in such notice for hearing, the absentee fails to appear, the court shall hear such petition and the proof offered, and all evidence given at such hearing shall be taken down by the official reporter and a verified transcript thereof filed in said cause, and at every such hearing the county attorney shall be present and represent the interests of the absentee, and shall be allowed reasonable compensation therefor to be fixed by the court.

SEC. 3. Appointment of guardian. If on such hearing the court is satisfied that the person has disappeared for the length of time herein required and that his whereabouts are unknown to his family or friends and that his property requires supervision and care, it may appoint some suitable person guardian of the estate of such absentee.

SEC. 4. Qualification. The person so appointed to act as such guardian shall qualify in the same manner as is required in the case of other guardians, and shall have the same powers and his duties shall be the same as is provided for guardians of the estates of minors, so far as applicable.

SEC. 5. Guardianship terminated—report. If at any time the absentee shall return and claim his property, he shall file in said court his application to terminate such guardianship and, thereupon, the guardian shall make full and complete settlement with such absentee, and after paying the costs of the proceedings and the necessary expenses of the guardian in executing the trust, shall turn over to such absentee all money and property then in his hands as such guardian taking receipt therefor, and shall make a final report to the court of his doings as such guardian.

SEC. 6. Costs and expenses. The estate of such absentee shall be liable for the costs of the proceedings and the necessary expenses incurred by the guardian and allowed by the court.

SEC. 7. Guardian under control of court—removal. Such guardian shall, at all times, be under the control and orders of the court and may at any time be removed for any cause, making it apparent to the court that said guardianship should be terminated or the trust transferred to another person.

SEC. 8. Guardian discharged—proceedings closed. When the final report of such guardian shall have been approved by the court he shall be discharged and the proceedings closed or the trust transferred, as the court may determine.

Approved April 9, A. D. 1909.