

April 12, 1938.

**LAW LIBRARY**  
**ARIZONA ATTORNEY GENERAL**

Mr. Frank E. Thomas,  
County Attorney Cochise County,  
Bisbee, Arizona.

Dear Mr. Thomas:

Answering your letter of recent date in which you ask to be advised by this office as to what the common practice has been in the past in matters relating to sums of money in the hands of the county treasurer which escheat to the State of Arizona.

Chapter 93, Article 3, R. C. A. 1928, provides the manner in which action should be brought in the county courts to obtain property escheating to the State. Upon investigation we have found that in the past the county attorneys in the several counties have filed the complaint in behalf of the State of Arizona in the Superior Court of their counties, as provided in Chapter 93, supra.

When the court enters its judgment, the order and the moneys are turned over to the State Treasurer and he issues his receipt to the county treasurer upon the payment of the moneys over to his department. The State Treasurer will not accept escheat moneys unless accompanied by a judgment in favor of the State of Arizona.

Yours very truly,

JOE CONWAY  
Attorney General

CHARLES BERNSTEIN  
Assistant Attorney General

✓ EARL ANDERSON  
Special Assistant  
Attorney General