

SEC. 8. Should a vacancy occur in the office of District Attorney at any time from any cause whatever, the vacancy thus occurring shall be filled by the Governor by appointment, and the person so appointed shall hold said office until the next general election, when a successor shall be elected to fill the remainder of said unexpired term and until his successor is elected and qualified. And where any term or terms of the District Court are holden between the day of election of District Attorney and the first day of January, A. D. 1859, the present Prosecuting Attorney shall appear and prosecute on the part of the State.

Vacancy.

Filled by Governor.

Pros. Atty appears.

SEC. 9. The several District Attorneys shall receive for their services each the sum of eight hundred dollars per annum out of the State Treasury, to be audited and paid as the salaries of other State officers.

Salary.

SEC. 10. In addition to the above salary, he shall receive for every conviction procured by him during his term of service, for a misdemeanor five dollars, for a felony ten dollars, such fees to be allowed and paid by the County Judge in each county in which the cause originated.

Fees for conviction.

SEC. 11. In case of conviction contemplated in the preceding section, the following fees shall be taxed against the defendant, to-wit: In case of a misdemeanor five dollars; in case of felony ten dollars, which shall be collected by the District Clerk and paid into the county Treasury.

Fees collected from defendant.

Approved March 22d, 1858.

CHAPTER 103.

COUNTY RECORDS.

AN ACT in relation to County Records.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the county judge of any organ-

Co. Records may be transcribed. ized county in this State, whenever such county judge, clerk of the district court and recorder of the proper county, or a majority of them, shall deem it necessary and expedient, shall have authority to have transcribed, indexed and arranged any deed, probate or county record belonging to said county, or have made a complete index as contemplated by section numbered 1213 of the Code of Iowa, of any such record.

SEC. 2. Whenever any new county shall have been formed from other original and organized counties, or shall have been attached to another county, for judicial or other purposes, and shall afterwards be fully organized and detached, and when any records of the kind mentioned in section 1st of this act, are in the original county or counties, which properly belongs to such new county, the county judge of such new or detached county, shall, when the same is deemed best by the county judge, county clerk and recorder of such new county, or any two of them, have authority to have transcribed, indexed and arranged, such records, or any of them, for the use of such new county, and at the expense of such new county.

New counties may have records transcribed

SEC. 3. The county judge may employ any suitable person to perform said labor, the amount of the compensation thereof to be previously fixed by the person or persons whose duty it may be to audit claims against the county, and provided that such compensation not exceeding six cents for each one hundred words of the records proper, and twelve and one half cents for each one hundred words of indexing—such compensation to be paid out of the treasury of the county for which the records are transcribed, and to be audited as other claims.

Compensation for transcribing records.

SEC. 4. When any such records are so transcribed, the county judge of the county to which the original records belong, shall compare the copy so transcribed with the original, and upon the same being found to be correctly transcribed, such county judge shall make a written certificate in each volume or book of such transcribed records, under his official seal, certifying that

Records compared and certified to.

such transcribed records have been compared with the original by himself, and are true and correct copies of the original records.

Sec. 5. Such transcribed records, so certified, shall have the same force and effect in all respects, as the original records, and be admissible as evidence in all cases of equal validity with the original records.

Transcribed records received as evidence.

Sec. 6. All acts and parts of acts inconsistent with this act, are hereby repealed.

Conflicting acts repealed.

Sec. 7. This act shall take effect from and after its publication in the Iowa Citizen and Iowa State Journal.

Take effect.

Approved March 22d, 1858.

I hereby certify that the foregoing Act was published in the Iowa Citizen on the day of April, 1857, and in the Iowa State Journal on the 10th day of April, 1858.

ELIJAH SELLS,
Secretary of State.

CHAPTER 104.

ATTORNEY GENERAL.

AN ACT to provide for the election of Attorney General and defining his duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That at the October election, A. D. 1858, and every two years thereafter, there shall be elected an Attorney General, who shall hold his office for two years and until his successor is elected and qualified.

Elected in 1858 for two years.

Sec. 2. The Attorney General shall appear for the State and prosecute and defend all suits and proceedings, civil and criminal, in which the State shall be a party or interested when requested to do so by the Governor, Secretary of State, Auditor, Treasurer or General Assembly, and shall prosecute and defend for the State all causes in the Supreme Court in which the State may be a party, or interested.

Att'y Gener'l appear for State.

Sec. 3. The Attorney General when requested, shall give his opinion in writing upon all questions of law

If he gives opinion in writing.