

SEC. 3. In addition to the clerical force now allowed by law to the secretary of state for the performance of the duties of his office, he shall be allowed one additional clerk, whose duty it shall be to perform the clerical work pertaining to the land department, as directed by the secretary, and he shall also perform such other duties as the secretary may direct.

Allowed one additional clerk.

SEC. 4. The salary of the clerk provided for in this act shall be twelve hundred dollars per annum, to be paid at the end of each month, and the auditor of state shall draw a warrant *in* [on] the state treasury in favor of said clerk on the certificate of the secretary of state stating the amount that may be due.

Salary of clerk.

SEC. 5. The office of register of the state land office is hereby abolished from and after the first Monday in January, in the year 1883.

Office of register abolished.

Approved, March 30, 1880.

CHAPTER 207.

RELATING TO WITNESS FEES IN CRIMINAL CASES.

AN ACT to Repeal Section 3818 of the Code, in Relation to the Payment of Witnesses for the Defendant in Criminal Cases, and to Enact a Substitute Therefor. S. F. 74.

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

SECTION 1. That section 3818 of the Code is hereby repealed and the following enacted as a substitute therefor, to-wit:

Code, § 3818: substitute enacted.

SEC. 3818. In no criminal case shall witnesses for the defense be subpoenaed at the expense of the county, except upon order of the court or judge before whom the case is pending; then only upon a satisfactory showing that the witnesses are material and necessary for the defense, and the board of supervisors shall in no case audit or allow any claims for witness fees, for the defendant in criminal cases, except upon order or judgment of court or judge thereof. And such order may be made at the time of trial or other disposition of the case, and upon such showing as the court may require.

§3818: witnesses subpoenaed at expense of county only on order of the court.

Approved, March 30, 1880.