

## CHAPTER 16.

## COMPENSATION OF DEPUTY CLERKS OF THE DISTRICT COURT.

H. F. 305.

AN ACT to amend the law as it appears in section two hundred ninety-eight (298) of the supplement to the code, 1907, relating to compensation of clerks of the district court and their deputies.

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

**SECTION 1. Compensation in certain counties.** That section two hundred ninety-eight (298) of the supplement to the code, 1907, be and the same is hereby amended by striking out the word "and" in the thirteenth (13) line thereof and by inserting after the period after the word "dollars" in the sixteenth (16) line thereof the following: "And in counties having a population exceeding sixty-five thousand (65,000) one or more deputy clerks may be employed, whose compensation shall not exceed eight thousand dollars (\$8,000.00)."

Approved April 15, A. D. 1909.

## CHAPTER 17.

## DUTIES OF COUNTY ATTORNEY.

S. F. 6.

AN ACT to repeal sections three hundred one (301), three hundred two (302), three hundred six (306) and three hundred seven (307) of the code, and to enact a substitute therefor, relating to the duties of the county attorney.

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

**SECTION 1. Repeal.** That sections three hundred one (301), three hundred two (302), three hundred six (306) and three hundred seven (307) of the code be, and the same are hereby, repealed, and the following enacted in lieu thereof:

**Sec. 2. Duties of county attorney.** It shall be the duty of the county attorney:

1. *To enforce laws.* To diligently enforce, or cause to be enforced in his county, all of the laws of the state, actions for a violation of which may be commenced or prosecuted in the name of the state of Iowa, or by him as county attorney, except such laws, the enforcement of which is exclusively enjoined upon others by statute.

2. *To appear for state and county.* To appear for the state and county in all cases and proceedings in the courts of his county, to which the state or county is a party, and in the supreme court in all cases in which the county is a party.

3. *To prosecute preliminary hearings in justice court.* To appear and prosecute all preliminary hearings before justices of the peace upon charges triable upon indictment.

4. *To prosecute misdemeanors in justice court.* To appear and prosecute misdemeanors before justices of the peace whenever he is not otherwise engaged in the performance of official duties.

5. *To enforce forfeited bonds, etc.* To enforce all forfeited bonds and recognizances, and to prosecute all proceedings necessary for the recovery of debts, revenues, moneys, fines, penalties and forfeitures accruing to the state or his county, or to any school district or road district in his county; also to

prosecute all suits in his county against public service corporations which are brought in the name of the state of Iowa.

6. *To appear for county officers.* To commence and prosecute all actions and proceedings brought by any county officer in his official capacity.

7. *To give opinions.* To give advice or his opinion in writing, without compensation, to the board of supervisors and other county officers when requested so to do by such board or officer, upon all matters in which the state or county is interested, or relating to the duty of the board or officer in which the state or county may have an interest; but he shall not appear before the board of supervisors upon any hearing in which the state or county is not interested, or in applications to establish, vacate or alter highways.

8. *To attend the grand jury.* To attend the grand jury whenever necessary for the purpose of examining witnesses before it, or of giving it legal advice, or to procure subpoenas or other process for witnesses, to prepare all bills of indictment; but he must not be present when an indictment is considered or found.

9. *To give receipts for money received.* To give a receipt to all persons from whom he shall receive money in his official capacity, and file a duplicate thereof with the county auditor.

10. *To notify attorney general of appeals—to prepare abstract.* To promptly notify the attorney general of every criminal case appealed from his county to the supreme court, and when the appeal is taken by the state, at least forty (40) days prior to the term at which the cause is to be heard, prepare and deliver to the attorney general a typewritten manuscript of the abstract of the case; and when the appeal is taken by the defendant, he shall prepare and deliver to the attorney general when necessary a typewritten manuscript of the amended abstract of the case in ample time to have the same printed and filed within the time prescribed by the rules of the supreme court; said manuscript of the abstract or amended abstract shall be in the form and manner prescribed by law, and the rules of the supreme court.

11. *To make report to governor or attorney general.* To make reports relating to the duties and the administration of his office to the governor or the attorney general whenever called upon by the governor or the attorney general so to do.

12. *To perform other duties.* To perform such other and further duties as are now or may hereafter be enjoined upon him by law.

Approved March 19, A. D. 1909.

## CHAPTER 18.

### COMPENSATION OF COUNTY ATTORNEYS.

S. F. 102.

AN ACT to amend the law as it appears in section three hundred and eight (308) of the supplement to the code, 1907, relating to the compensation of county attorneys.

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

**SECTION 1. Compensation in certain counties.** The law as it appears in section three hundred and eight (308) of the supplement to the code, 1907, is hereby amended by adding to said section the following: "In counties where the district court is held at two places in the county, the board of supervisors may allow to the county attorney, in addition to the salary above provided, a sum not to exceed two hundred and fifty dollars (\$250.00);".