

shall determine to be a reasonable compensation, and while acting under said appointment, he shall have all the authority and be subject to all the responsibilities herein conferred upon county attorneys.

Sec. 13. Substitute - notice before appointment. In criminal cases less than a felony, a justice of the peace or magistrate can not appoint an attorney at the expense of the county or county attorney; and no justice of the peace shall appoint an attorney to act as county attorney in any case, wherein a felony is charged, unless reasonable notice in writing has been given the county attorney that his services will be required before such justice at a time therein named, and he has failed to appear in response thereto.

Sec. 14. Prohibitions. No county attorney shall accept any fee of reward from or on behalf of anyone for services rendered in any prosecution or the conduct of any official business, nor shall he, or any member of a firm with which he may be connected, be directly or indirectly engaged as an attorney or otherwise for any party other than the state or county in any action or proceeding pending or arising in his county, based upon substantially the same facts upon which a prosecution or proceeding has been commenced or prosecuted by him in the name of the county or state; nor shall any attorney be allowed to assist the county attorney in any criminal action, where such attorney is interested in any civil action brought or to be commenced, in which a recovery is or may be asked upon the matters and things involved in such criminal prosecution.

Approved April 14, 1924.

CHAPTER 90

SHERIFF

S. F. 135

AN ACT to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff.

Be It Enacted by the General Assembly of the State of Iowa:

That section thirty-two hundred five (3205) of the compiled Code of Iowa, and thirty-two hundred six (3206) of the supplement to said Code, are amended, revised, and codified to read as follows:

Section 1. Fees to be collected. The sheriff shall charge and be entitled to collect the following fees:

1. For serving a notice and making return thereof, for the first person served, fifty cents (50c), and each additional person, twenty-five cents (25c).
2. For each warrant served, two dollars (\$2.00), and the repayment of necessary expenses incurred, in executing such warrant, as sworn to by the sheriff; if service of the warrant can not be made, the repayment of all necessary expenses actually incurred by the sheriff while attempting in good faith to serve such warrant.

3. For serving and returning a subpoena, for each person served, twenty cents (20c), and the necessary expenses incurred while serving subpoenas in criminal cases or insane process.

4. For summoning a grand or trial jury, all necessary and actual expenses incurred by him.

5. For summoning a jury to assess the damages to the owners of lands taken for works of internal improvement, and attending them, five dollars (\$5.00) per day, and necessary expenses incurred. This subsection shall not be so construed as to allow a sheriff to make separate charges for different assessments, which can be made by the same jury and completed in one (1) day of ten (10) hours.

6. For serving an execution, attachment, or order for the delivery of personal property, injunction, or any order of court, and making return thereof, two dollars (\$2.00).

7. For making and executing a certificate or deed for lands sold on execution, or a bill of sale for personal property sold, one dollar (\$1.00).

8. For the time necessarily employed in making an inventory of personal property attached or levied upon, fifty cents (50c) per hour.

9. For a copy of any paper required by law, made by him, for each one hundred (100) words or fraction thereof, ten cents (10c).

10. Mileage in all cases required by law, going and returning, ten cents (10c) per mile, provided that this subsection shall not apply where provision is made for expenses, and in no case shall the law be construed to allow both mileage and expenses for the same services and for the same trip.

11. For boarding a prisoner, a compensation of twenty cents (20c) for each meal, and not to exceed three (3) meals in twenty-four (24) consecutive hours; and fifteen cents (15c) for each night's lodging. But the amount allowed a sheriff for lodging prisoners shall in no event exceed in the aggregate the sum of two hundred fifty dollars (\$250.00) for any calendar year.

12. For waiting on and washing for prisoners, the sum of five cents (5c) per prisoner per day.

13. For attending sale of property, for each day, one dollar (\$1.00).

14. For conveying one (1) or more persons to any state, county, or private institution by order of court, or commission, he shall be allowed his necessary expenses, for himself and such person or persons, and in addition thereto, forty cents (40c) per hour for the time necessarily employed in going to and from such institution, same to be charged and accounted for as fees. Should the sheriff need any assistance in taking any person to any such institution, the same shall be furnished at the expense of the county.

15. For serving any warrant for the seizure of intoxicating liquors, one dollar (\$1.00); for the removal and custody of such liquor, actual and reasonable expenses; for the destruction of such liquor under the order of the court, one dollar (\$1.00) and his actual and reasonable expenses; for posting and leaving notices in such cases, one dollar (\$1.00) for his actual expenses.

Sec. 2. Certain fees in addition to salary. The amounts allowed by law for mileage and for actual, necessary expenses paid by him and for board, washing, and care of prisoners may be retained by him in addition to his salary.

Approved January 26, 1924.