

A BILL

FOR AN ACT TO ABOLISH THE OFFICE OF DISTRICT ATTORNEY AND TO PROVIDE FOR THE ELECTION OF COUNTY ATTORNEYS AND DEFINE THEIR DUTIES AND POWERS.

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

SECTION 1. On and after January 1st, 1887, the office of district attorney shall be abolished.

SEC. 2. At the general election in the year 1886 and in each even numbered year thereafter there shall be elected in each county a county attorney who shall have within the county all the powers and be charged with all the duties now by law resting upon or vested in the district attorney.

SEC. 3. Whenever the words "district attorney" appear in any of the statutes of this State, the same so far as may be consistently with the provisions of this act shall be construed as equivalent to the words "county attorney."

SEC. 4. The official bond of the county attorney shall be given to the county and shall be in a sum of not less than two thousand dollars. The board of supervisors may in its discretion fix the penalty of said bond at any greater sum not to exceed five thousand dollars.

SEC. 5. The county attorney shall be the legal adviser of the board of supervisors and of the several county officers in all matters pertaining to the official duty of such officers, and shall perform all the other duties now prescribed by law to be performed by the district attorney. He shall appear for his county in all the courts of the State when requested so to do by the board of supervisors or by the chairman of said board, in any and all causes wherein the rights or interests of the county are involved, and whenever he can do so without detriment to the public service he shall appear before the examining magistrate in all preliminary hearings of criminal cases within his county. For all of his official services the county attorney shall have and receive no other or additional compensation or fees than are prescribed in the next section; *except*, that in cases where he is compelled in the discharge of the duties hereby imposed upon him to attend court in another county he shall be entitled to repayment of the expenses thus actually incurred.

SEC. 6. He shall hold his office for a term of two years and until his successor is elected and qualified and shall receive a salary as follows: In counties having a population of less than five thousand, five hundred dollars per year. In counties having a population of five thousand and less than ten thousand, seven hundred and fifty dollars per year. In counties

5 having a population of ten thousand and less than twenty thousand, one thousand dollars.
6 In counties having a population of twenty thousand and less than thirty thousand, twelve
7 hundred dollars per year. In counties having a population of thirty thousand and less
8 than forty thousand, fifteen hundred dollars per year. In counties having a population of
9 forty thousand, eighteen hundred dollars per year; and in all cases he shall also be en-
10 titled to receive ten per cent on all fines and forfeitures collected by him. The salary shall
11 be paid from the county treasury in the same manner as the salaries of other county officers
12 are paid. For the purposes of this section the population of the several counties shall be
13 determined by the last official census, State or national.

SEC. 7. From and after the first day of January, 1887, the clerk of the district court in
2 each county, in addition to the compensation now provided by law shall be allowed to re-
3 tain from fees collected by him in matters of probate and guardianship, such sum as may be
4 fixed by the board of supervisors, not exceeding the sum of three hundred dollars per year ;
5 but such additional compensation shall in no case be allowed to be paid out of the county
6 treasury.

SEC. 8. All acts and parts of acts inconsistent with the provisions of this act are hereby
2 repealed.